California.

Segregation - 1937

"Any Trace" of Negro Blood Is Too Bad

LOS ANGELES, Calif., Oct. 28—(ANP)—Judge Charles Burnell ruled Saturday that "any" trace of Negro blood in a person is sufficient to bar that person from a restricted residential area. The decision forced Mrs. Blanche S. Burns and her family from a home in the West Adams district.

Segregation—1937

D.C.

FIGHT MOVEMENT TO BAN RACE FROM RESIDENCE AREA

Courier
Pittsburgh, Pa.
7-31-37

WASHINGTON, July 29—(ANP)—An organization to protest the move to banish Negroes from the 'Foggy Bottom' area was formed last week at a meeting of the Lincoln Citizens' Association, held at Liberty Baptist Church at which Edward F. Harris presided.

Communications from the Alley Dwelling Authority were read at the meeting indicating that the Authority had begun construction of new apartments on the St. Mary's Court site, which originally were intended for occupancy by colored families. The Authority objected to Negro occupancy of the apartments, and stated its objection in part as follows:

"Negro occupancy would hinder development of the West End.

"Additional housing is needed for white students and others who find it advantageous to be near the center of the city.

"Negroes have no such reasons for living in the neighborhood.

"Loans for white apartments will be made more difficult to secure if the Authority accepts Negroes as tenants for the new building.

"Opening of the apartments to colored tenants will tend to make permanent the Negro population in the West End."

A committee composed of E. F. Harris, Rev. T. W. Alstorks, Rev. Hampton T. Gaskins, Dr. Henry Heath, William I. Lee and Mary Mason Jones, was named to appear at a hearing in the near future.

Washington, D. C. Post
July 22, 1937

Plan to Exclude Colored in Area Meets Protest

Lincoln Association Seeks Admission to St. Mary's Project.

An organization to protest "banishment of Negro citizens" from the area known as "Foggy Bottom" was effected last night at a meeting of the Lincoln Citizens Association held in the Liberty Baptist Church, Twenty-third and E streets northwest.

Communications from the Alley Dwelling Authority were read, indicating that the Authority had begun construction of new apartment houses on the St. Mary's Court site. It was originally intended that these apartments would be occupied by colored families. Objections to the Authority against such occupancy forced the matter to be held in abeyance pending hearings.

The Authority summed up objections as follows:

"Negro occupancy would hinder development of the West End.

"There is a great need for additional housing in the area for Government employes.

"Additional housing is needed for white students and others who find it advantageous to be near the center of the city.

"Negroes have no such reasons for living in the neighborhood.

"Loans for white apartments will be made more difficult to secure if the Authority accepts Negroes as tenants for the new buildings.

"Opening of the apartments to colored tenants will tend to make permanent the Negro population in the West End."

A committee consisting of E. F. Harris, the Rev. T. W. Alstorks, the Rev. Hampton T. Gaskins, Dr. Henry Heath, William I. Lee and Mary Mason Jones, was named to appear at a hearing.

Edward F. Harris presided.

SUIT TO KEEP COLORBAR NOT CONTESTED

Harry J. Robinson Moved Without Answering

Afro-American

BUILDERS JOIN WHITE NEIGHBORS

9-25-37

Court Ordered Move in Ten Days

Baltimore, Md.

WASHINGTON

A suit, filed for the purpose of making Harry J. Robinson, Jr., vacate the premises at 411 Columbia Road, Northwest, was dismissed this week after it became known that Mr. Robinson had vacated the property without fighting the suit.

The suit was filed on the grounds that an agreement signed by the person who owned the property on October 30, 1925, made it illegal for colored persons to own or rent the property.

The Jerome S. Murray company, Inc., sold the property to Mr. Robinson in 1936. The contract of sale provided, however, that the deal would be called off if it were found that the property was protected by a restrictive covenant.

After Mr. Robinson had been advised of the covenant barring colored tenancy, he allegedly did not move, and the Jerome S. Murray Company joined with white neighbors in a suit to force him to vacate the home.

Injunction Issued

A temporary injunction was issued by Justice Oscar R. Luhring ordering Mr. Robinson to move within ten days, and to remain away from the house pending trial of the suit.

Shortly after this injunction was issued, Mr. Robinson moved.

Those who brought the suit against him were:

Mary J. Parker, 407 Columbia Road, Northwest; Charles W. and Ethel May Fritter, 403 Columbia Road, Northwest; Harriett Percilla Brady, 424 Irving Street, Northwest; and the Jerome S. Murray Company, Inc., 1604 G Street. Northwest.

Supreme Court Refuses To Review "Race Issue" Cases

WASHINGTON, Oct. 21—The Supreme Court last Monday refused to grant petitions for writs of certiorari to review the judgments of lower courts involving racial issues.

It declined to review the decision of the District of Columbia Court of Appeals upholding a restrictive covenant prohibiting the sale of property to or its occupancy by colored persons.

A review of the case by th higher court was sought by J Dallas Grady, white, owner of house at 1741 First street north west.

In the lower courts, Eliot Lovett attorney for Grady, contended tha the entire character of the neigh borhood of the Grady property had changed since the original cove nant was signed more than 3(years ago.

Tommie Walls, of Charlotte, N C., failed in his appeal from a first-degree burglary conviction which he brought on the ground that the grand jury that indicted him was illegally constituted "because citizens of the colored race were discriminated against."

Consideration of the petitions for a review of these two cases were had in conference of the judges and it is not known whether Justice Hugo L. Black, one-time Ku Klux Klan member, participated or, if he did, how he voted.

Segregation - 1937

Florida

Miami To Enforce Racial Segregation

MIAMI, FLA., May 20.—(AP)—H. Leslie Quigg, acting police chief, said today the 9 p.m. curfew, dormant in recent years, would be enforced to keep white persons and negroes in their own sections of the city after hours.

Only negroes bearing written authority from employers will be allowed after curfew in white areas, Quigg said, and white persons must prove their presence in negro sections is for valid business reasons.

Tampa, Fla. Tribune
May 27, 1937

CITY LAW BARS NEGRO CAFES IN WHITE SECTIONS

Mayor Signs Ordinance Board Rushed Through

An emergency ordinance prohibiting negro restaurants in white sections of the city and restaurants for white persons in negro sections was signed by Mayor Chancey yesterday and became law immediately.

It was rushed through the board of aldermen Tuesday night on motion of Alderman Rosenthal, who said a chain company was preparing to open a restaurant in the 1200 block on Franklin street in his district to serve white persons and negroes.

The establishment would have separate eating quarters, Rosenthal said, but he opposed the intermingling of races as a detriment to the peace and welfare of any community.

The ordinance is made to cover "a public inn, restaurant, or other place of public accommodation and refreshment." Under it a negro restaurant could not be set up in a write community without consent of the majority of white persons in the territory. The same requirement is made for a white restaurant in a negro community.

The term, "white community," is defined as a section inhabited principally by white persons "and including every residence and business house fronting on either side of any street within a radius of 600 feet from the location of the public inn, restaurant or other place of accommodation or refreshment."

The tax collector is prohibited from issuing a license to anyone violating this ordinance, and any license issued is declared void. A $500 fine or six months imprisonment, or both, are provided.

Two weeks ago the board ordered the police department to close a negro place of business at 1403 Highland avenue on motion of Rosenthal, after white residents in the territory complained about conduct there.

Tampa, Fla. Tribune
May 27, 1937

ORDINANCE NO. 627-A

AN ORDINANCE PROHIBITING THE ESTABLISHMENT OF NEGRO RESTAURANTS IN WHITE COMMUNITIES AND WHITE RESTAURANTS IN NEGRO COMMUNITIES WITHOUT THE WRITTEN CONSENT OF A MAJORITY OF THE PERSONS OF THE OPPOSITE RACE INHABITING THE COMMUNITIES AFFECTED, PROHIBITING THE ISSUANCE OF LICENSES WHERE SUCH CONSENT IS NOT OBTAINED AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF TAMPA, FLORIDA:

Section 1. It shall be unlawful for any person, firm or corporation to operate, conduct or maintain in any white community in the City of Tampa a public inn, restaurant, or other place of public accommodation and refreshment for the purpose of serving negro patrons without the written consent of a majority of the persons of the white race inhabiting, tenanting, or occupying the community or portion of the city to be affected; and it shall be unlawful for any person, firm or corporation to operate, conduct or maintain in any negro community in the City of Tampa a public inn, restaurant, or other place of public accommodation and refreshment for the purpose of serving white patrons without the written consent of a majority of the persons of the negro race inhabiting, tenanting, or occupying the community or portion of the city to be affected.

Section 2. The term "white community" is hereby defined as any community or portion of the city inhabited principally by white people and including every residence and business house fronting on either side of any street within a radius of 600 feet from the location of the public inn, restaurant, or other place of public accommodation and refreshment. The term "negro community" is hereby defined as any community or portion of the city inhabited principally by negro people and including every residence and business house fronting on either side of any street within a radius of 600 feet from the location of the public inn, restaurant, or other place of public accommodation and refreshment.

Section 3. No license shall be issued by the tax collector of the City of Tampa to any person, firm or corporation violating any of the provisions of Section 1 of this Ordinance or who propose to violate same, and any license issued in violation of the provisions hereof shall be void.

Section 4. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished upon conviction thereof by a fine not exceeding $500.00 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment in the discretion of the Municipal Judge of the City of Tampa.

Section 5. It is hereby determined and declared that an emergency exists demanding the immediate passage of this Ordinance for the good order, peace, health, general welfare, prosperity, and morals of the City of Tampa and the same shall become effective immediately upon its passage by a three-fourths vote of the Board of Representatives and its approval by the Mayor.

PASSED by the Board of Representatives of the City of Tampa, Florida, by a three-fourths vote of said Board this 25th day of May, A. D. 1937.

B. H. EMERSON,
President of the Board of Representatives.

Attest:
P. R. BOURQUARDEZ,
City Clerk.

Approved by me this 25th day of May, A. D. 1937.

R. E. L. CHANCEY,
Mayor.
5-27-1t

Florence, S. C., Morning News
May 20, 1937

Miami to Enforce Sectional Curfew

MIAMI, Fla., May 19.—(AP)—H eslie Quigg, acting police chief aid today the 9 p. m., curfew dormant in recent years, would be nforced to keep white persons and negroes in their own sections of the city after hours.

Only negroes bearing written authority from employers will be allowed after curfew in white's areas Quigg said, and white persons must prove their presence in negro sections is for valid business reasons.

Belle Glade Fla. News
July 16, 1937

Pahokee Zoned To Fix Places of Colored People

Ordinance Clears "Ridge" to Improve Sanitation, and Appearance

Separation of the residence quarters of colored people from the white residential and business sections is provided for in an ordinance adoptey by the Pahokee town council. Of the character of a zoning act, it describes the area in which negroes may not live but allows white residents to permit their servants to stay on premises while in employment. The ordinance does not affect the locality on Belle Glade road where colored people have homes and stores, nor does it take in extreme points on "the ridge."

Roughly described, the area prohibited to colored people is from L. L. Stuckey's residence on Canal Point road on down through the town and down Bacom Point road to George McLarty's residence.

O. B. McClure, Frank Friend and other farmers who provide quarters for their colored employes already have moved the quarters off of the ridge and the few remaining farmers who have not done so are allowed under the ordinance until August 15 to comply with its terms.

Improvement of sanitary conditions along the ridge is one of the purposes of the regulation, as well as the desire to do away with unsightly buildings and provide room for lawns and shrubbery.

Belle Glade has long required the separation of the places of residence of the races, and voluntary action to that end has been taken in some of the unincorporated communities of the Lake region. The courts have sustained the right of municipal bodies to provide for separation of dwelling places of the races.

Miami, Fla. Herald
July 21, 1937

PLANNING BOARD ACTION IS ASKED

Commission Will Hear Coconut Grove Boundary Petition

Recommendation of Frank Stearns, zoning director, that the city planning board membership be restored to full strength of five and work in co-operation with the new county zoning board is scheduled to be considered at today's city commission meeting.

Robert Fitch Smith, member of the city board, has been appointed on the county board, leaving two members on the city board, W. Stanley Dodd, and Paul Hinds. Fred W. Borton and Charles H. Nelson resigned some time ago.

Among scheduled hearings is one on a petition for establishment of a definite zoning line between the white and negro population of Coconut Grove.

Apopka, Fla., Chief
July 20, 1937

RAILROAD MADE THE RACE LINE

The city council Monday night at an adjourned meeting passed an ordinance designed to segregate the white and colored races of Apopka, making the Seaboard Air Line tracks the dividing line between the white and colored residence and business sections.

The ordinance makes violation disorderly conduct punishable by a fine of not more than $500 or imprisonment for not more than sixty days.

White people living or doing business north of the tracks will be encouraged to move or transfer their property as quickly as possible. It is not the intention of the city to work a hardship on anyone, but it was thought best

enunciate a policy for the matter that would clear up existing differences and misunderstandings.

This ordinance is similar to segregation ordinances passed and in force in most southern cities. In most places they have worked very well.

The city council voted Monday night at an adjourned meeting to spend $300 this summer for further beautification work here. The work will be done in the same way as last year: that is, property owners whose taxes are delinquent will be paid $1.50 a day for the work, fifty cents in cash and one dollar in credit on their taxes. Actually, therefore, about $900 will be spent on the beautification project.

The work consists mainly of transplanting palms and other plants to the city's streets and public property. Since the trees will be obtainable without cost, the whole $900 will be spent on labor.

Among other beautification projects will be that of beautifying the U. D. C. club property.

At the same, the council voted to spend $300 in repairing the city hall. The walls will be waterproofed and the front stuccoed. The interior, damaged by rain, will also be repaired.

Tampa, Fla., Times
July 21, 1937

City Ordinance to Restrict Negro Homes Presented

An ordinance prohibiting Negroes from residing in a white community and banning white persons from living in a Negro community, unless they have the consent of a majority of the residents of the affected section, was placed on first reading by the Board of Representatives last night.

City Attorney McMullen, who presented the ordinance at the request of Representative Pacheco, who demanded its passage, was instructed to make a further study of it for possible revisions and to resubmit it to the Board Tuesday night.

McMullen said that while he had defined a community in the proposed measure as one block, that determination of what actually constitutes a community is a difficult task and would require additional study.

Pacheco several weeks ago asked McMullen to draft an ordinance banning Negroes from the section in Ybor City bounded by Nebraska Ave., 15th St., Ninth Ave. and Columbus Dr., but the attorney pointed out that the City had no right to pass a zoning ordinance affecting one section of the City. He added, however, that a "segregation ordinance," similar to the one he presented, affecting the entire city, would be legal.

"As long as we do dot have any protection now, this ordinance is better than nothing and I demand that it be passed," Pacheco asserted.

During the discussion, Representative Rosenthal pointed out that the ordinance would permit Negroes on one side of the street, yet would bar them on the other. Representative Snipes raised questions concerning what authority the City would have to bar Negroes from a section if they owned homes in the section or had leases on property there.

Under the ordinance, a written consent of a majority of the residents would have to be filed with the City Clerk. The measure would not affect persons housed in servants' quarters.

Recently an ordinance was passed at the request of Rosenthal, banning restaurants operated by whites in Negro sections and restaurants operated by Negroes in white sections unless a majority of persons in affected areas approved them.

Petersburg Fla. Times
October 20, 1937

COUNCIL WILL STUDY REZONING FOR SEGREGATION

Sanitary Commission Is Planned to Inspect and Condemn Unfit Dwellings

Council yesterday definitely abandoned any idea of the passage of a strict negro segregation ordinance and turned instead to a study of re-zoning as a legally valid means of indirect segregation.

The matter was referred to a committee after a segregation ordinance defining the limits of residence of negroes failed to win the support of a single councilman.

Meanwhile, at the suggestion of Councilman George W. Hopkins, the mayor was empowered to appoint a three-man sanitary commission to inspect houses in the negro area and where conditions warrant, condemn the buildings and order necessary repairs.

By broad inference, Hopkins charged ownership of the property as being responsible for disgraceful conditions in the negro area.

Hopkins Blames Owners

"We have sufficient sanitary laws to make an immediate improvement in this area," he declared, "but it hasn't been done so far, and I think I know why.

"I have no desire to work any hardship on the owners of negro property, but I do desire to see the negroes have decent living quarters. The owners' only interest apparently is to collect the rent, which they do religiously every Saturday."

Councilmen wasted little time on the strict segregation ordinance, setting up a negro residential district in the southwest section of the city.

"Mr. City Attorney, is that ordinance constitutional?" inquired Mayor Vernon G. Agee after the ordinance had been read.

"In my opinion it is not," promptly responded City Attorney Runyon.

Discussion shifted to re-zoning areas desired for negro residence and those to be segregated.

Affects Only New Building

City Attorney Runyon estimated, if re-zoning is adopted, it would take approximately 60 days to set up the necessary changes in the present zoning law.

Change in the building restrictions will not affect houses already standing, but will apply only to those constructed after the changes become effective.

Even Col. Hugh J. B. McElgin, erstwhile staunch supporter of a strict segregation ordinance, gave up on the idea and requested the council to consider a re-zoning plan submitted by him and endorsed by several score south side property owners.

His contention that a strict segregation ordinance is at present in effect in Louisville, however, will be investigated for particulars by City Attorney Runyon as the possible basis for the passage of such an ordinance here.

Segregation – 1937

Illinois.

U. OF C. HEAD CRITICIZED ON SEGREGATION

Statement Called Evasive In Restrictive Covenant Controversy

By
IRVIN C. MOLLISON,
TRUMAN K. GIBSON JR.,
and A. C. MacNEAL

The statement of President Robert M. Hutchins of the University of Chicago, published in last week's Chicago Defender, regarding his views on restrictive covenants is wholly unsatisfactory, evasive, cowardly and unworthy of a great lawyer and the president of a university in placing dollars above human rights.

Although there are few direct statements of opinion, the implications of the article are the following: (1) some members of the university help in the development of the South Park Garden apartment project; (2) the university must attempt to keep up the communities which surround its plant and to that end must cooperate with neighborhood associations, but does not form their policies; (3) some of these associations support restrictive covenants and the university, as a member of this association is, therefore, obliged to support this program.

Statement Evasive

The entire statement is evasive and hypocritical or totally irrelevant to the point of discussion. This sort of statement from one of the most brilliant educators, a former dean of the Yale university law school, and a man whom it was rumored to be a candidate for the United States Supreme court, can only mean that Mr. Hutchins is willfully and maliciously failing to address himself to the issue.

Let us take his statement, point by point, to see just what he has said and what he has failed to say:

"In the administration of the University of Chicago there has never been any 'avoidable' discrimination against the colored race."

This is utterly irrelevant to the point of discussion which is restrictive covenants. Further, it is factually untrue. Mr. Hutchins certainly must be aware of the discrimination against Negroes in Billings hospital. Recently a person who had worked for the university for the past three years was refused service. In addition, Negro girls are refused admittance to Gree nhall, Foster hall and Kelly hall, residence dormitories on the campus. This, doubtless, comes under the heading of the unavoidable discrimination which Mr. Hutchins, by implication, justifies.

"It is the constant effort of the faculty of the university to educate men and women to resist all sorts of prejudice and to guide their lives by the light of reason."

This is exactly the point at issue. When the university is dedicated to such a policy how can they actively support and finance restrictive covenants which can only lead to friction and race riots? If, as Mr. Hutchins suggests, many of the social scientists have "devoted a great deal of thought and energy to (the problems) intelligent solution," we would like to know what social scientist has applied his intelligence to this problem.

"Some of the members of our faculty, of our administrative staff and of our board of trustees advised with the authorities and actively assisted in the projected development of the (Federal housing project)."

Responsible For Defeat

In the first place, will Mr. Hutchins name a single administrative office or trustee who assisted in the development of the federal housing project? It is true that a member of the faculty did cooperate, and one member of the faculty was responsible, more than any one else in its location. But this is not the point that has been raised. What the community objects to is the fact that members of the business office actively worked against the project and were largely responsible for its defeat. We wish to know why, in view of Mr. Hutchins' knowledge of the "intolerable housing conditions," a representative of the university would be allowed to spend university money to defeat this project.

"An examination of the university's record will....convince any ....person that in determining the policies of the institution, neither the trustees nor administrative officers are actuated by race prejudice."

What motivates persons to do what they do is not pertinent to the present discussion. What is important is what they do. Obviously the university has done this because they thought that it would make more money for them from their real estate holdings. But an institution such as the university has obligations to the community that surmount money making.

"The university, if it is to perform its obligation....must endeavor to stabilize its neighborhoods as an area in which its students and faculty will be content to live.... It takes satisfaction in doing these things as a good neighbor but it does not attempt to dictate local policies as a condition of its support."

University Dominates Policies

First, we would like to ask why it is necessary for the university to come over in the West Woodlawn area (Sixtieth to Sixty-third streets, South Park to Cottage Grove) to make a community in which its students can live. The percentage of students who live there is negligible. Second, the assumption is that for a community to be stable no Negroes can live in or around it. Third, Mr. Hutchins states that the university does not dictate local policies as a condition of support. Why, then, is the restrictive agreement in the West Woodlawn area commonly known as the "University of Chicago Agreement to keep Negroes out"?

Further, if the University of Chicago is the most important contributor to these associations it is obvious that it can and does dominate their policies.

"One of the associations to which the university belongs has defended restrictive agreements..... Many people doubt their social soundness, (however) They are legal in this state and the association has the right to invoke and defend them."

The fact that the university belongs to an association does not mean that it has to stay in that association if it engages in activities which are undemocratic and will lead to serious and unfortunate social consequences. This ignores for the moment the fact that the university supports and to a large extent, dictates the policies of these organizations and often has been responsible for their formation. (The business office of the university pays the salary of a person who works consatntly organizing and directing these associations).

The Woodlawn Property Owners' Association declared in open court that the primary purpose was to "keep Negroes out of the area." Does Mr. Hutchins believe that the university should join in and work for that type of objective?

Ambiguous Statement

"....However unsatisfactory they may be, they are thought to be the only means at present available by which the members of the association can stabilize the conditions under which they desire to live."

Mr. Hutchins is right when he says that many persons doubt that these covenants are socially sound. In fact many of the "social scientists" to which he referred, members of his faculty, doubt this. We would like for Mr. Hutchins to point out a single member of his social science division who supports these covenants as a solution to the problem. This is truly an ambiguous statement. Who thinks they are the only available means of stabilizing the community—Mr. Hutchins? The business office? Social scientists who have dealt with the problem? Just who thinks this, Mr. Hutchins? And what does the statement "conditions under which they desire to live" mean? Is one of those conditions that no "Negro" can live in West Woodlawn at least a mile at its nearest point from the university?

"We appreciate the difficulties of our colored people....We shall continue our efforts to educate our citizens to understand that color does not constitute an intelligible basis of discriminating one citizen from another."

Against Federal Housing

God forbid that the University of Chicago continue its present method of education by forbidding "Negroes" the right to live in residence halls (with one exception and that one of the most inadequate structures on the campus), by allowing its administrative officers to work against the construction of federal housing in one of the most densely and overcrowded sections of the city, and by financing and encouraging restrictive covenants.

The university has been accused in the press, and there is much evidence to substantiate those accusations of (1) being instrumental in the defeat of the federal housing project; (2) of encouraging, and financing restrictive covenants in the West Woodlawn area which have shut off all expansion of the community. Mr. Hutchins has been asked to state his position in the matter. What we have from Mr. Hutchins is irrelevant facts, evasions and distortions of the truth.

Mr. Hutchins has stated in private conversation that he has no control over the business office which is directly responsible to the trustees. Why, then, didn't Mr. Hutchins state this rather than attempt to becloud the issue? If he personally approves of restrictive covenants as his article would imply, why then, didn't he state this?

Falls Prey To Ambitions

At the graduation of the class of 1935, President Hutchins said:

"I am not worried about your economic future. I am worried about your morals. My experience and observation lead me to warn you that the greatest, the most insidious, the most paralyzing danger you will face is the danger of corruption. Time will corrupt you. Your friends, your wives, or husbands, your business or professional associates will corrupt you; your social, political, and financial ambitions will corrupt you. The worst thing about life is that it is demoralizing."

We are afraid that Mr. Hutchins, himself, has fallen prey to the ambitions he warns his students against. Tragic as this is to the "Negro" community and to the university, we hope that this is not an example of "Higher Education in America."

U. OF C. HEAD OPPOSED TO SEGREGATION

President R. M. Hutchins Writes Article Defining His Views On Subject

Editor's Note: A controversy has arisen over the attitude of the University of Chicago toward racial segregation in the current dispute over restrictive covenants. President Robert M. Hutchins has been asked to make a public statement in order to clarify his position and that of the university. The official statement follows:-

By ROBERT M. HUTCHINS
(President, University of Chicago)

I have been requested by the editor of The Chicago Defender to state my views on the restrictive agreements which have been employed by owners of property near the university as well as elsewhere to prevent colored residents from moving into their neighborhoods.

In the administration of the University of Chicago there has never been any avoidable discrimination against the colored race. Our doors are open to colored students on precisely the same terms as to white. We always have a considerable number of colored students. The attention of the public has recently been called to the interesting fact that the youngest member of our present freshman class is a colored boy 13 years of age.

Reason A Guiding Light

It is the constant effort of the faculty of the university to educate men and women to resist all sorts of prejudice and to guide their lives by the light of reason. Racial prejudice, like religious prejudice, is consistently opposed. Moreover, some of our social scientists, recognizing the difficult social and economic problems which have resulted from the rapid growth of the colored population in Chicago, have devoted a great deal of thought and energy to their intelligent solution. Much

of this work has been done in collaboration with representative members of your own community.

The demolition of residential buildings in recent years, the neglect of existing structures and the absence of new building to provide for the urgent needs of an increasing colored population have resulted in deplorable overcrowding and in insistent demands for relief from intolerable housing conditions. Some of the members of our faculty, of our administrative staff and of our Board of Trustees advised with the authorities and actively assisted in the projected development of the South Park Gardens near 39th street and are continuing to study and analyze the increasing need for more adequate housing for the colored population in Chicago.

School Officers Unbiased

An examination of the university's record will, I am sure, convince any fair minded person that, in determining the policies of the institution, neither the trustees nor the administrative officers are actuated by race prejudice.

The university, if it is to perform its obligation to the donors of its endowment and to the great community it serves, must endeavor to stabilize its neighborhood as an area in which its students and faculty will be content to live. We feel that the local community should be encouraged to develop its own policies of improvement and that the university should co-operate with it in every legitimate way. To this end the university, in recent years, has supported a number of community efforts to eliminate vice, secure more adequate housing, improve streets and parkways by planting trees and shrubbery, induce property owners to paint and repair buildings, and in other ways to make the area a more desirable place of residence. It takes satisfaction in doing these things as a good neighbor but it does not attempt to dictate local policies as a condition of its support.

It is in pursuance of the policy I have stated that the university has contributed to the work of neighborhood associations. One of the associations to which the university belongs has defended restrictive agreements. These agreements were entered into a long time ago, and although many people doubt their social soundness, they are legal in this state and the association has the right to invoke and defend them. However unsatisfactory they may be, they are thought to be the only means at present available by which the members of the association can stabilize the conditions under which they desire to live.

We appreciate the difficulties of our colored people. We shall be glad to assist in the solution of their problems. We shall continue our efforts to educate our citizens to understand that color does not constitute an intelligible basis of discriminating one citizen from another.

Segregation-1937

Illinois.

SEEK TO PREVENT HIS OCCUPYING HOME IN WHITE NEIGHBORHOOD

CHICAGO, June 17.—(ANP)—Suit for $100,000 was filed against Harry H. Pace, president of the Supreme Liberty Life Insurance company and nationally known business and fraternal executive, in the circuit court here Monday, by whites of Washington Park district, an exclusive residential section into which Mr. Pace and his family recently moved. Mr. Pace is preparing to defend himself against the suit which is sponsored by a group of white protective associations notoriously inimical to the best interests of Negroes.

These whites who live immediately east of the colored district on Chicago's south side, have sought through the years to prevent the further encroachment of Negroes upon the territory which they occupy. Restrictive covenants signed by a majority of property owners and prohibiting colored people from buying or living in property east of Cottage Grove have been in existence for years. Other agreements govern the territory west of Cottage Grove, extending along 60th street, the south side of Chicago's famous Washington Park to South Parkway, the main artery of the Negro section, and south to 63rd street. Similar covenants are in effect in most of the desirable residential districts in Chicago and are growing rapidly in other cities throughout the country. Negroes in Chicago thus find themselves hemmed into the so-called "black belt."

Mr. Pace purchased the property at 411 E. 60th street two months ago and after extensive alterations moved in with his family. He was thoroughly aware of the situation surrounding the covenants but elected to become the spearhead of the fight to open up the district to Negro ownership.

Retaliation of the whites was swift. Suit was filed for $100,000, alleging damages to residents of the district through violation of the covenant. A bill in equity was also filed which seeks to force him to move from the home which he has purchased. Mr. Pace, determined to fight the issue to a conclusion, has retained a group of the ablest lawyers in Chicago, Earl B. Dickerson, Joseph D. Bibb, Irving C. Mollison and Truman K. Gibson, Jr., being his attorneys in the case.

"I am standing upon my inalienable rights as an American citizen," said Mr. Pace Friday, when seen by an ANP reporter. "The vicious tendency," he continued, "to consign Negroes to ghettoes and inferior neighborhoods must be broken up. We have the same right as any other citizen to have our homes in favorable sections and to take advantage of the superior services invariably given there.

"I am not seeking to live among white people. Colored people are residing within a stone's throw of my new residence, but are prohibited by law from moving across the arbitrary line which these inimical and iniquitous associations have set up. I do not believe the courts will support a program which seeks to deprive a citizen of the right to live wherever he desires and is able to live."

VANDALS ATTACK REALTOR WHO BOUGHT HOUSE IN WHITE DISTRICT

CHICAGO, June 17—(ANP)—Vandals, presumably white neighbors, stoned the home of Carl A. Hansberry, realtor, Tuesay, after he and his family had moved into a new home which he purchased at 6142 Rhodes avenue, in the Washington Park district here.

Hansberry had defied the restrictive covenant which was adopted by the owners of property in the district which lies next to the main colored residential section of Chicago, extending from 60th to 63rd streets and from South Parkway to Cottage Grove avenue. He occupied the home on Tuesday and that night two bricks were tossed through the front window. The bricks were thrown with such force that they left holes without shattering glass. In the room at the time were Mr. and Mrs. Hansberry, their children and several friends. Police were called to disperse threatening groups and remained on duty all night.

Two days later a suit for $100,000 was filed against him by six neighbors, alleging conspiracy to violate the covenant and restrictive agreement. Later a bill of equity was filed to enjoin him from occupying further the home which he had purchased. Mr. Hansberry is secretary of the local branch of the National Association for the Advancement of Colored People.

Chicagoans Defy Covenants; Move in Restricted Homes

CHICAGO (ANP) — To test real estate covenants which would permit only whites to buy and occupy property in the fashionable Washington Park district, Harry Pace, insurance executive, and Carl A. Hansberry, local N.A.A.C.P. secretary, have bought property and moved in.

As a result, both face suits for $100,000. In addition the home of Mr. Hansberry at 6142 Rhodes Avenue was stoned by vandals shortly after he and his family occupied the property.

Doubts Courts' Assent

Mr. Pace bought property at 411 E. Sixtieth Street, about two months ago, and after extensive alterations, moved in with his family. Mr. Pace, who has retained four lawyers to fight the restrictive covenants, said:

"I do not believe the courts will support a program which seeks to deprive a citizen of the right to live wherever he desires and is able to live."

The suit against Mr. Pace alleges damages to white residents of the district through violation of the covenant. A bill in equity also filed seeks to force him to move from his home.

Six white neighbors of Mr. Hansberry accused him of conspiracy to violate the covenant and restrictive agreement. A bill in equity seeks to enjoin him from further occupying the home.

Judge Bars Race From Chicago Area

Upholds Restrictions In Southern Section of Windy City

CHICAGO —(ANP)— Ruling on a motion to dismiss the case heretofore filed against Carl Hansberry, secretary of the Chicago branch of the N. A. A. C. P., and various other defendants in connection with the purchase of property in the so-called restricted area of the Washington Park Subdivision, located in the heart of Chicago's southside, Judge Michael Feinberg in Circuit Court on Friday morning overruled the motion to dismiss and granted a temporary injunction against James Joseph Burke, white real estate agent, who sold the property to Hansberry, restricting him from selling any further property in the subdivision.

Judge Feinberg also granted a petition for an injunction against Hansberry refusing to allow him to collect rents from the white tenants in the building owned by him and ordering him to move out of the premises within 90 days. The white planitiffs in the action were ordered to post a $5,000 security bond to cover any damages or losses sustained by Hansberry or Burke or any other persons connected with the case and ordered that the injunction was not to become effective until the bond had been posted.

COURT IMPATIENT

Arguments were presented to the court on the order to dismiss by C. Francis Stadford, Earl B. Dickerson, Irving C. Mollison, and Loring B. Moore. At various times the court showed impatience with the arguments presented by counsel and ordered them peremptorily not to repeat and to cut their arguments short. When counsel insisted that they represened different clients and ought to be heard, he still insisted that he had heard the arguments and knew what it was all about. As a parting shot, he said to the assembled laweds that "I never go where I am not wanted."

The implication of this to the assembled group of colored lawyers and clients was that colored people were not wanted in this subdivision and should not go into it. One strange factor in the case was that no arguments were made on the other side either by way of introducing or by way of rebuttal. The court heard only the arguments of counsel for the defense and immediately rendered his decision without any arguments being presented by the other side.

All the attorneys involved in the case, including Attorneys Joseph D. Bibb and Truman K. Gibson, Jr., who did not speak in the opening argument, expressed the determination that this was the beginning of the fight and that the matter will be fought to the courts of last resort to determine whether such a decision as that pronounced by Judge Feinberg today will stand.

Thirty days was given in which to file answers after which the cases will be set down for a hearing before a master in chancery and then will be tried on its merits.

NEGRO'S HOUSE TOO GOOD; FHA REFUSES LOAN

East St. Louis, Ill. Aug. 20.- Because his home is valued at twelve thousand dollars and is located (because of segregation) in a neighborhood where the homes range in value from one thousand to twenty-five hundred dollars, Atty. Frank N. Summers of this city has been refused a loan by the Federal Housing Administration.

Pres. The N. A. A. C. P. 8-20-37

Mr. Summers has taken up the matter with the N.A.A.C.P. in New York which in turn wrote Clyde L. Powell, assistant deputy administrator of the FHA. Mr. Powell cites a technical rule of the FHA relating to the value of surrounding property in determining loans. New York, N.Y.

While the FHA may be technically correct, the N.A.A.C.P. and Mr. Summers are insisting that it is not the fault of Negroes if they are forced by segregation and jim crow into certain neighborhoods and that if the FHA refuses to loan money on property in these neighborhoods, it is thereby forcing Negroes not only into jim crow areas, but into sub-standard homes. The N.A.A.C.P. also contends that this technical rule about the value of surrounding property has been waived in some cases involving white people.

In his letter to the N.A.A.C.P., Mr. Summers asserts that wherever white people are refused loans on property in certain neighborhoods, they are free to go to other neighborhoods to build, whereas Negroes are restricted to certain areas and if the FHA does not grant them loans to build the kind of homes they wish in these areas, it is racial discrimination, regardless of how technically correct the FHA may be.

Negotiations are being continued to see if some relief cannot be secured for Mr. Summers.

Segregation - 1937

Illinois.

BUILDING GHETTOES

Recently Judge Michael Feinberg of the Circuit Court upheld a temporary injunction which forced Mr. Harry Pace and Mr. Carl Hansbury, who had bought property in the Woodlawn district, to move out of their homes and back into the so-called "black belt." Judge Feinberg ended his decision by stating that "Negroes" should not live where they are not wanted. "I," thundered the judge, "do not go where I am not wanted."

These words seem strange coming from the mouth of a Jew, especially one who owes his position on the judicial bench to a preponderance of votes cast by black men. If Judge Feinberg does not go where he is not wanted, he certainly does not attempt to live in any of the better class suburbs and subdivisions of the city where Jews are definitely not wanted, and there are even restrictive covenants against Jewish people. Would he tell a Jew that he should not go where he was not wanted? Would he advise the Jews of Germany and Poland to establish their homes elsewhere? They are not wanted in the reich republic and the Polish government is negotiating with both Liberia and Santo Domingo with a view to establishing colonies there for the Polish Jews.

For centuries Jews in Germany, Russia and Poland have suffered all of the multitudes of ills which have attended the enforced ghettoes. Crime, disease, and filth resulted from the horrible conditions of those overcrowded and neglected areas. There was a time when Jews were locked into their ghettoes every night. If any people in the world know the horror of a ghetto, it is the Jews. It would seem, then, that a judge in a democratic country would be ever alert to guard the rights of all minority people against these injustices, and should be the last one to try to force the black man into a ghetto in America.

Judge Feinberg seems to have the moral, if not the active support of the University of Chicago. It is well known in Woodlawn that this university is the motive power behind the Restrictive Covenants. In fact, many of the real estate owners in that area refer to the Restrictive Covenants as "the University of Chicago Agreement to get rid of Negroes." It is obvious that these covenants are just another means by which the social and political rights of a minority people are being infringed upon. But more serious than that is the actual situation which they have caused. With the entire community surrounded by restriction covenants blocking further expansion, habitable houses have become harder and harder to find. Families have been forced to double up; two, three four and even five families to one small apartment. Rents have soared to the sky as the demand for homes in the restricted areas becomes greater than the supply. Doctor Bundesen reported a case of a mother who gave birth to a child in a coal bin. The death rate the tuberculosis rate, the adult crime, all have been affected by this terrible overcrowding.

It is indeed a queer combination, a Jewish judge and a liberal university dedicating themselves to the purpose of maintaining a black ghetto. This judge should be reminded that he is perhaps only a generation away from a Russian or a Polish ghetto—that perhaps his father felt the lash of the knout when he ventured from his home after dark. The University of Chicago should be brought to task and its role as humanitarian should be balanced against its vicious attack on the rights of American citizens. Its contribution to science, art and literature should be set against its contribution to the increase of crime, misery, and the demoralization of a people. Since the president of the university has not seen fit to clarify his position on the matter, we presume that he is a party to this damnable scheme.

Illinois.

Segregation - 1937

BAN JIM CROW IN CHICAGO

CHICAGO—Attempts by renting office employes of the new Jane Adams federal housing project on the West Side to prevent Negroes from applying for apartments received a blow last week when orders allegedly came through from Washington banning discrimination.

Following protests by the Chicago Urban League and private citizens, D. R. Jones, assistant to Dr. R. C. Weaver, was sent from the nation's capital by the Department of the Interior to investigate conditions and report back to government officials. This visit is understood to be the basis for the order banning discrimination.

Chicago Whites Continue Effort To Bar Negroes From 'Restricted' Area

Woodlawn Property Owners' Association and University of Chicago Want District Kept 'White.'

CHICAGO, Oct. 14—(ANP)—The insidious campaign started more than 20 years ago by the Woodlawn Property Owners Association and the University of Chicago to prevent Negroes from buying or renting property in the "white" Woodlawn district flared again recently when a colored real estate operator, William I. Seton, was called before the State Department of Registration and Education to answer charges of fraud preferred by a white representative of the property owners.

Demanding the revocation of Realtor Sexton's license, Richard J. Demaree, acting for the Woodlawn Property Owners' Association, bases his action on an advertisement inserted in a local colored weekly newspaper by Sexton and offering for sale six pieces of choice "white" property in the Woodlawn district, between Sixtieth and Sixty-first streets, east of South Parkway.

Demaree's contention: "None of the owners listed any of the properties with W. I. Sexton nor authorized the insertion of the "ad." Purpose of the "ad" was to start a stampede of property sales in a section of Woodlawn restricted to white occupancy and ownership, by the fear that the owners were ready to sell to other than whites."

Representing Realtor Sexton, Atty. A. M. Burroughs maintains the "ad" not false; it makes no mention of race or color. Declared Attorney Burroughs: "The 'ad' is not a misrepresentation because it states a true fact and that is: that each piece of property mentioned in the 'ad' was for sale. There is nothing in the 'ad' seeking the sale of this property to any race and every owner appearing in the ad' seeking the sale of this property to any race and every owner appearing as a witness stated that the property was for sale on the terms advertised."

The matter in dispute was referred to a committee of three real estate men by the Director of the Department of Registration and Education, and Sexton is awaiting the action of that committee. It has long been rumored that a number of white owners in the Woodlawn district, many of them Jews, are anxious to sell, because most of the whites have moved away, leaving this one section east of Cottage Grove avenue, occupied by whites, but surrounded on the north, south and west by Negroes. The district is the former site, about thirty years ago, of the old Washington Park race track and contains many desirable bungalows, two-flat buildings and apartment houses.

JUDGE GIVES HANSBERRYS NEW CHANCE

Grants Change Of Venue When Attorney Cites Reasons In Plea

Attorney C. Francis Stradford, representing Mr. and Mrs. Carl A. Hansberry, 6140 Rhodes avenue, succeeded Thursday, Oct. 21, in getting a change of venue when he appeared before Judge Michael Feinberg and cited reason why he didn't think he could get a fair trial before him.

Opposing the petition were Attorney Charles A. Chegan and Attorneys Schuyler and Hennessy, representing white interest in the Woodlawn district that is seeking to invoke restrictive covenants to prevent Race members from buying or residing in property in that neighborhood.

Appeals Case

Previous to this hearing the judge had refused to modify a mandatory injunction which would allow the Hansberrys to remain in their home at 6140 Rhodes avenue until the case is tried on its merits and upon all issues involved on October 29. The Hansberrys were ordered to vacate the premises on October 20, but an appeal from this decision automatically revoked this order until it is heard.

Judge Feinberg caused considerable debate in legal circles when he made a "side remark" in hearing the case, which caused attorneys representing the litigants to seek a fairer judge. They said his remarks were prejudicial to their clients. The case will now go back for reassignment.

So aroused were South Side residents over the decision of Judge Feinberg in ordering the Hansberrys to move, that many many civic orders and prominent citizens joined in the protest and sought the support of influential persons throughout the city in fighting restrictive covenants.

See Governor

A committee of three, composed of Mrs. Minnie Wilson, Mrs. Nannie Reed and William I. Sexton, held a short conference with Governon Henry Horner in Springfield Wednesday and laid the matter before him. The governor gave them a cordial reception, and discussed the issues with them.

The fight now being waged is not regarded as a personal affair of Mr. Hansberry, but has become a battle between the races over constitutional rights.

If the Hansberrys lose, the boundary line of the so-called "Black Belt" will become tighter, and rents will begin to increase because of the lack of space to accommodate the growing Race population.

Judge Orders Chi NAACP Official To Get Out Of White District Oct. 20

CHICAGO—(A N P)—Carl A. Hansberry, secretary of the Chicago branch NAACP, and his wife were given until Wednesday of this week by Circuit Judge Michael Feinberg to vacate the home they purchased five months ago at 6140 Rhodes Avenue, just outside the "black belt."

Judge Feinberg, who made this decision a week ago Monday, refused to modify the mandatory injunction which would allow the Hansberrys to remain on the premises until the case is tried on its merits October 29. Meanwhile attorneys for Hansberry are seeking a change of venue because of the prejudiced remark made by the court in a previous hearing.

"I never go where I'm not wanted," Judge Feinberg allegedly said when he learned the colored couple had bought a home in "a white neighborhood." Because Feinberg is a Jew and therefore, subject to racial persecution, his utterance shocked listeners.

Defense attorneys contend their client is violating no restrictive covenant by occupying the premises, and point out that 10 nationalities live in the neighborhood. The covenant which was intended to bar Negroes was never completed. Only 84 percent of the frontage was signed up when the document stated specifically 95 per cent would have to be signed up before it would be effective.

The building is a three-flat structure and rented throughout, but Hansberry is prohibited by court from receiving any rents until after the case is heard October 29. Lawyers declare that if the permanent injunction sought by whites is granted, it would virtually confiscate Hansberry's property in violation of the 5th and 14th constitutional amendments.

The entire case is of special significance in view of what seems a nation-wide fight by powerful realty interests to restrict Negroes to certain boundaries, and because an adverse decision will be an obstacle to expansion beyond the present limits of Chicago's over-crowded colored area.

University Of Chicago, White Realty Owners Lambasted In Meeting On Inadequate Housing

President Hutchins Tries to Defend Stand as Chicagoans Fight for Better Living Accomodations And Threaten Boycott

CHICAGO, Nov. 11—(ANP)—A boycott of the avowedly liberal University of Chicago was threatened Wednesday night at a mass meeting of colored citizens in Du Sable high school for the purpose of launching a drive against vicious and inadequate housing conditions in the section. White property owners' associations bordering on the district which prevent Negro expansion through restrictive residential agreements were lambasted by spokesmen, led by Alderman William L. Dawson of the Second Ward.

Two days later, Dr. Robert M. Hutchins, president of the university, issued a statement purporting to tell of his own and the institution's opposition to segregation but which, southside leaders feel, merely point out the school's duplicity in the matter. The university, located near the eastern limits of the "black belt," is charged with financing white organizations now bitterly opposing Negro expansion beyond the present overcrowded district.

In defending Chicago U.'s stand Dr. Hutchins said, "We feel the local community should be encouraged to develop its own policies of improvement, and the university should cooperate in every legitimate way. To this end, the university, in recent years, has supported a number of community efforts to improve existing conditions and make the area a more desirable place of residence. It takes satisfaction in doing these things as a good neighbor, but it does not attempt to dictate local policies as a condition of its support.

"It is in pursuance of the policy I have stated that the university has contributed to neighborhood associations. One of these associations to which the university belongs has defended restrictive agreements. These agreements were entered into a long time ago and although many people doubt their social soundness, they are legal in this state and the association has the right to invoke and defend them. However unsatisfactory they may be, they are thought to be the only means available by which the members of the association can stabilize the conditions under which they live."

Prior to the mass meeting Wednesday, a Citizens' committee, working with the N. A. A. C. P. and the Peoples' Press, a liberal white weekly newspaper, covered the Southside with a special edition on various aspects of the housing situation. It pointed out the danger of racial friction that the situation had engendered, dwelt at length on the part played by the University of Chicago and its cohorts in blocking the building of the Southside Gardens Housing project, the federal project that has resulted in demolition of a large portion of the Southside and the further accentuation of a serious situation by throwing over 2,000 persons out on an already overcrowded community.

Segregation – 1937

Maryland.

Jurist Upholds Jim Crow

Afro-American
1-23-37

BALTIMORE — Another decision upholding an agreement to keep colored people from occupying homes in white neighborhoods was rendered Friday when Judge Albert S. J. Owens granted an injunction compelling the Rev. Edward Meade to vacate his home at 2227 Barclay Street.

The decision, based on an agreement made by a number of white residents in the block to bar persons of African descent from ever occupying property in the vicinity followed an all-day hearing.

Segregation—1937

Missouri.

REFUSE TO SPLIT DISTRICT

Settlement On Site Of New High School Now Awaited

4-23-37

The white citizens of Kinloch lost their fight to separate their school district from that of the colored citizens of S. Kinloch Park Tuesday when the Board of Arbitration appointed to decide the issue, took unanimous action in turning down the demands. The 300 white children of the Nuroad school who went out on a strike April 12 and said they would not return to their classes until the school districts were separated returned to their classrooms Wednesday.

Fight Over Site

Another fight is still going on over the site of the new colored high school. A [illegible] action has been granted the faction representing the Nuroad school district against building of the school on a site which the majority of the colored residents favor. Attorney George L. Vaughn is representing the South Kinloch group in the case. Settlement of the site dispute is necessary before PWA grants necessary for building the school are forthcoming.

The School separation fight started some years ago and reached a climax April 6 with defeat of the Nuroad school representatives by the South Kinloch voters. George Fitzinger, Jr., was defeated for re-election by Mr. Boehle, whom colored voters supported who was also made president of the Board. The whites then appealed to County Superintendent of Education Russell who appointed the Board of arbitration.

Plot Indicated

It was brought out at the hearing that Fitzinger and Mueller, both of whom were elected three and two years ago, respectively, by the Negro vote had been forward in the proposition to divide the district as campaign measure in an effort to re-elect Fitzinger had threatened the Negroes with division of the dist. if not elected and had promised the white people that the district would be divided if they would elect him. No other ground for friction between Fitzinger and Mueller on one side and the colored people of Kinloch except the effort of Fitzinger and Mueller to force the selection of the Hammond site for the Negro high school. The evidence was disclosed that, prior to the holding of the election last October, an urge for the Hammond site had presented an option to the school board to purchase said site for $12,000, and urged their signature. This scheme was also defeated by Rev. Johnson who refused to sign the option.

7.—Rev. W. I. Johnson member of the board testified before the Arbitration Board that the colored people were opposed to the Hammond site for the following reasons:

(1) It lies over near the street car line and the Country Day school property, a considerable distance from where the colored people live and is without water, lights or made roads or streets and is very hilly requiring, at a most conservative estimate, $4,000.00 to grade it and put it in shape for building use.

(2) That more than one hundred white children live in Romona Park and Romona Heights of the district, pass through the Hammond site each day on their way to the "Nuroad" (white grade) school and that there was danger of conflict betwen the children of the two races which the colored people desire to avoid.

The strike of the pupils of the "Nuroad Schol was engineered, it is charged, for the purpose of influencing the Board of Arbitration to split the district.

Would Have Harmed

8—The purposed division of the Kinloch district was to have a section set off in which practically only colored people lived, and comprising about one-seventh of the present district and to take the other six-seventh, including a large farm acreage amounting to some nine hundred aces and place it in the proposed new white district. This would have left the colored school without sufficient revenue with which to run them and would have prevented any further explanation on their part no matter how much of an increase there might be in the Negro population.

9—The evidence at the trial before Judge Wolfe disclosed that the white principal receives $180.00 a month and the Principal of the Negro School $140.00 a month: also that the highest paid Negro teacher, other than the principal receives $84.00 a month while the lowest paid white teacher $94.00 per month. The highest paid white teacher other than the principal receives $115.00 per month.

Whites Tricked In Move To Balk Race Land Owners

ST. LOUIS, Mo., July 23.—Residents of Page Boulevard who resided comfortably in their homes for years secure in the belief that property covenants protected their all-white street from the invasion of blacks, were bitter late last week when they learned they had never had any such protection.

The discovery was made by the Page Avenue Home Protective Association when attempts were made to force Samuel M. Townsend, a Race chauffeur, to give up his home which he had just purchased at 4330 Page boulevard.

George E. Wibracht, white president of the organizations, said after he discovered that Townsend could not be forced by the courts to vacate his home, "We are determined to put up a fight, and if any restricted property is sold to Negroes we will go to court."

Meanwhile James T. Bush, Race realtor, declared that he is advertising a half dozen other homes in the same street and that as fast as purchasers can be found the houses will be occupied by members of the Race.

Page avenue or boulevard as it is sometimes known from Vandementer to Taylor avenues has been occupied exclusively by whites for years. Several previous attempts by members of the Race to purchase homes on the street have been unsuccessful.

It was confidently believed by whites living on the avenue that their homes were protected against the invasion of members of the Race by restrictive agreements effective until 1942. Investigation, however disclosed that the agreements through drawn up, signed and notarized over 15 years ago had never been filed. According to Mrs. Anna MacMahon, white, 4141 Page Avenue, widow of founder of the protective ass'n., the residents were betrayed by the notary public who has paid to see that the residents were given protection against Race neighbors.

"My husband," Mrs. MacMahon said, "arranged with the notary to go to all the families and get their signatures on agreements not to sell to Negroes for 20 years. Not long after that the notary left town and Mr. MacMahon then discovered that many of the agreements had not been properly recorded.

He was terribly upset, because he knew that if news of this leaked out there probably would be immediate purchases by Negroes.

Also there would be an uproar from many of the foreign residents who would not understand and would refuse to sign new agreements.

In fact, it had been hard to get many to sign the first time. As for the money, he would have been glad to pay all the filing fees himself. So he decided for the welfare of all concerned not to say any-

thing about it. "Ad these things have turned out, I believe he was right, because everybody including the Negroes have been under the impression all these years that the homes were restricted.

The Page Avenue Home Protective Association, is understood to be making new efforts to have restrictive agreements signed by all residents of the street to prevent further encroachments by members of the Race. Townsend, meanwhile, is prepared for anything that comes. I am determined to live here," he said. "If anybody moves, it will be the whites. This is my home and I am here to stay."

TENANTS CAN LIVE IN APT.

ST. LOUIS, Dec. 16—(By ANP—Colored tenants of the apartment building, 3019-21 Vine Grove avenue, last Monday won a court victory when Circuit Judge William S. Connor ruled that the building at that address is not affected by the real estate restrictive covenant which prohibits Negroes from occupying certain property on that street.

In 1924, the former owner of the building signed an agreement with other property owners excluding Negroes from the district for 20 years and named officers of the St. Louis Real Estate Exchange as trustees of the agreement.

Suit to enforce the restriction was filed by E. M. Thornhill and Arthur C. Hoehn, trustees, naming the present owner, Leonard Herdt was defendant, the charge being that he had leased the property to Negroes.

In refusing the injunction asked by petitioners, Judge Connor pointed out that adjoining property to that of Herdt was not included in the agreement, is now occupied by Negroes, while buildings across the street, which were restricted, have been rented to Negroes without objection. The judge's decision, however, does not void the entire agreement affects only the property specified in the suit.

RESIDENTIAL RESTRICTION IS WITHDRAWN

Realty Board Votes to Lift Ban Against Negroes On Boulevard

ST. LOUIS. — (Special) —Some of the hard work of Negro realty men, especially James T. Bush, and the ever increasing pressure of housing shortage among the 110,000 Negro residents of St. Louis, who have difficulty finding decent homes in which to live, have finally forced open a small door on Page boulevard.

Last week members of the white Real Estate Exchange voted 134 to 25 approving the lifting of the powerful exchange's restriction on its members selling and renting property in the 4200, 4200-w and 4300 blocks on Page.

Lifting of the ban means all persons engaged in selling property in St. Louis may now sell property in the three blocks on Page to Negroes.

A month ago Clarence C. Lang, executive secretary of the exchange, announced any member of the exchange caught selling property on Page or Evans to Negroes would be expelled from the exchange.

Families Not Molested

Since summer Bush has made inroads on Page. A dozen Negro families to whom Bush sold property are now living there. None of them have been molested. Before that time Page and Evans were lily-white, cutting a path between the all-Negro west end and the all-Negro Ville.

The following is the text of the letter officers of the exchange sent to members following the approval to lift the ban:

TO ALL ACTIVE MEMBERS:

In the matter of your referendum, which closed at 5 p. m. Wednesday, December 15, on the question of approving or disapproving the removal of the exchange's restriction on its members renting leasing or selling to Negroes, property on either side of Page boulevard in the 4200, 4200-w and 4300 blocks, this will certify that the vote was:

Approving, 134; Disapproving, 25

Therefore, by your own action you have made available to the active members of the exchange the renting, leasing or selling of property to Negroes on either side of Page boulevard in the 4200, 4200-w and 4300 blocks.

Please make this change on the map previously furnished to you by the exchange showing the boundaries of our colored zone.

You are reminded that the restriction against colored occupancy or ownership still holds good on all other property on Page boulevard, also that you are not permitted to rent or sell to Negroes on Evans avenue.

Eugene D. Ruth Jr., president; H. A. O'Rourke, secretary; Executive secretary.

Bush Not Satisfied

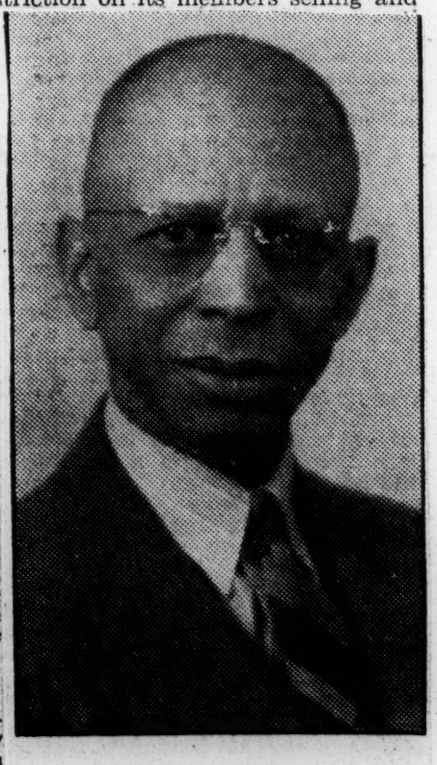
But still not satisfied with the small amount of property opened to Negroes, Bush immediately sent the following letter to the press and exchange.

"I am informed that in a recent referendum, the members of the Exchange voted 133 to 25 approving the lifting of the Exchange's restriction on its members selling and renting property in the 4200 4200-w and 4300 blocks on Page boulevard, to colored.

This was a step in the right direction and the members who voted for the proposition are to be commended, but the referendum did not go far enough.

Certainly these three blocks will not afford ample housing facilities for 100,000 of our population for whom no provision has been made by the Exchange in the last ten years. This in spite of the fact that the territory occupied by them has been hit the hardest to make way for commercial and civic activities and the further fact that 40 per cent of the property occupied by them east of Grand boulevard is below the standard for decent living quarters. Such living quarters are a menace to the health of this group which comes in contact daily with the other group. With such housing conditions existing the results as to the health and welfare of our whole population are obvious.

It would appear that the Exchange lifted its restriction in these few blocks to meet a situation which it did not create instead of attacking the bigger problem. Now that the matter has received enough attention to bring about some action, why not make a survey and lift your restrictions on enough territory to meet the needs of one-eighth of our population? In such a movement you will have the full cooperation of myself and I believe the other Negro real estate dealers."



JAMES T. BUSH

Segregation - 1937
6 6

New York

Brooklyn Vigilantes Hold Target Practice in National Guard Armory, Carry Guns In Campaign to Oust All Negroes From Bedford-Stuyvesant Section

By Mike Kantor

The Daily Worker has uncovered a vigilante network in Brooklyn aimed at driving all Negroes out of the Bedford-Stuyvesant section and other heavily-populated Negro areas.

Daily Worker 12-4-37

First exposed in the Sunday Worker, the vigilantes, masked under the name of the Midtown Civic League, have been holding regular target practice in a Brooklyn armory under the tutelage of Sergeant Carl Williams of the 106th Regiment of the National Guard.

Composed of 900 property owners, the league has opposed the sale or rental of property in the section to Negroes.

Homes have openly exhibited signs proclaiming, "White Occupants Only."

Leaflets have been distributed calling upon the white residents to protest the influx of Negroes and to drive them out.

Bullies and hooligans have assaulted and threatened young Negro men and women. The head of the league, Sumner A. Sirtl, admitted to the Daily Worker that he has already "recruited more than 200 vigilantes."

WILL BUY SHOTGUNS

The organization is out to organize a Home Defense League which according to Sirtl "would constitute a civilian annex to the police department with the right to carry guns, clubs and wear uniforms."

Many members have received permits for revolvers and those that can't will "buy shotguns and use them if necessary."

Aroused by the vigilante activities, indignant residents and organizations met last night at a "public trial" sponsored by the Citizens Civic Affairs Committee. Representatives from trade unions, churches, social and civic groups, the Workers Alliance, the American Labor Party and the Communist Party laid plans for a counter-attack and demanded an immediate investigation into the increasing lynch-spirit provoked by the Midtown Civic League.

Following the testimony of resident witnesses and a "guilty" verdict by the jury, Peter V. Cacchione, chairman of the Kings County division of the Communist Party, pledged the full support of the Communist Party in the fight against Negro persecution in Brooklyn.

BROWNSVILLE BAN

At the same time, residents and organizations in the Brownsville section of Brooklyn, which also has a heavy Negro population, expressed belief that the recent wholesale evictions of Negro families in that neighborhood was linked to the vigilante drive in the Bedford-Stuyvesant area. Samuel Brandywynne, member of the Landlords' Association, an organization similar to Sirtl's, told the Daily Worker:

"I'm out to drive the Negroes from my home and keep them out."

Sirtl, in giving his reason for organization of armed groups, said it was "to combat wholesale lawlessness and the epidemic of crime in the Bedford-Stuyvesant section." He could not prove, however, that there was an increase in crime or even in what police precincts the crimes had been committed.

PROTESTED CHURCH SALE

A few weeks ago Sirtl sent a telegram to the Rev. E. J. Humeston of the First Presbyterian Church in Rockville Center, L. I., protesting the sale of Grace Church in Brooklyn to a Negro congregation.

"The Midtown Civic League," said the telegram, "is waging an aggressive campaign to keep the community a high-class residential area . . . much concerned in any action that might lower the status and values of our neighborhood. I plead that the Presbytery be urged to vote against the sanctioning of the sale of Grace Church to the Negro congregation. You have a social obligation to the residents of the Bedford-Stuyvesant section of Brooklyn who may see their life savings, which are invested in their homes, dwindle to less than half of their real values."

Testimony as to terroristic acts against Negroes were made by more than ten witnesses at the community meeting last night. Mrs. Margaret Kelley told of two detectives breaking into her home without a warrant at the instigation of the landlord who notified them that the Kelleys "operated a still and sold liquor on the premises."

12-4-37 Daily Worker

BROKE INTO CLOSETS

"The detectives," Mrs. Kelley went on, "broke into our closets, drawers, turned over boxes, searched every nook and cranny of the house. When they couldn't find anything they arrested my husband anyway. He was taken to Liberty Avenue station and brought into the Gates Ave. court where the police switched the charges to 'policy slip carrying.'

"The judge released my husband on $500 bail. This was a scheme on the part of my landlord to get us out and the police in this section worked hand-in-glove with him on that."

Benjamin F. Butler, Fusion candidate for City Council in Brooklyn, told the Daily Worker, "Mr. Sirtl and his henchmen represent an evident danger to the Negro people and I am anxious to confer and cooperate with all civic leaders to plan a campaign against these vigilantes."

Rev. R. Leo Soaries, pastor of the Christian Fellowship Church said, "The Negroes in Brooklyn are watching the un-American and destructive institution, the Midtown Civic League, and we are going to exert every ounce of effort to see that it will not encroach upon our rights as citizens of this country."

JOIN IN PROTEST

Rev. S.H.V. Gumbs, president of the Social Service Organization of the American Church Inc., with a membership of over 2,500, told the Daily Worker that his organization "will bend every bit of energy in cooperation with all other liberty-loving groups to defend the honor and principles of those now being attacked by the Midtown Civic League."

Other denunciations were expressed by Benton Gibbs, general secretary of the Colored Van Operators Inc., with more than 400 members, the Rev. C.M. Washington, former pastor of the Union Bethlehem A.M.E. Church, the Rev. Dr. George Frazier Miller, president of the Citizens Civic Affairs Committee, L. A. Wynn, executive member of the City Fusion Party in Brooklyn, and Deacon Theodore Gross, of the Mt. Carmel Baptist Church.

In Brownsville, where some 40 Negro families have been evicted in the past three weeks, Brandywynne who evicted six Negro families from his home at 79 Herzl St., stated, "I want only nice people in my house. If I ever rent my rooms to Negroes again, they'll have to pay me two-months security in advance."

He said that "nice" people will be exempt from such a condition. "White people don't have to give security," he added.

Abraham Pilgrim, chairman of the Local 89 of the Workers Alliance fighting the evictions, said, "I have no doubt that the Landlords' Association in Brownsville of which Mr. Brandywynne is a member, is planning to conduct a campaign of terror against the Negroes here similar to the vigilantes in the Bedford-Stuyvesant section of Brooklyn. Both groups are property-owners and have the same purpose. We feel that both organizations are inspired with the same aims and are definitely linked together in the anti-Negro drives now spreading throughout Brooklyn."

New York.

Segregation - 1937

EX-BRITISH SHIP CAPTAIN OPPOSES BAN

Counsel Says Neighbors Can't Judge Man's Race

WHITE PLAINS, N.Y.—The fight of Joshua Cockburn, wealthy Harlem realtor, and his wife to prevent their eviction from their $25,000 Scarsdale home, begun in New York Supreme Court, Tuesday, has for the first time on record forced this high tribunal legally to define "Negro."

Afro-American

The long-questioned constitutionality of restrictive clauses in deeds prohibiting the purchase or occupancy of land in fashionable residential districts, by colored persons, was also argued before Justice Raymond E. Aldrich, who, after hearing testimony, reserved decision.

Baltimore Md.

Mrs. Marion A. Ridgeway, white, of Fort Hill Road in the fashionable section of Greenburgh, brought the action whereby she seeks to oust the Cockburns from the neighboring premises on the grounds that the entire development is covered by a deed restricting its use by colored persons.

2/6/37.

It is considered likely that the case will eventually reach the U.S. Supreme Court.

Arthur Garfield Hays of New York, chief counsel for the American Civil Liberties Union, represented Cockburn. At the outset of the trial, he told Judge Aldrich that, in order to shorten the hearing, he was willing to admit that Mr. and Mrs. Cockburn had some "Negro" blood in their veins.

"I don't know and they don't know what constitutes a 'Negro,'" Hays declared. "The chief question is one of constitutional rights, and to uphold any such restrictive clause would be contrary to public policy and in violation of the thirteenth and fourteenth amendments to the Constitution."

Afro-American

Hays told the court that the Cockburns were born in Nassau and educated in England. Cockburn, he said, had served as master of a British ship and in the British Navy.

"Mrs. Cockburn, who is here in court with me, is as white as I am, while her husband has dark skin," Hays continued. "You can't base any injunction on the color of Mrs. Cockburn's skin or the color of her husband's skin. A permanent injunction might break up the family, in the event that they have children. Some might be black and some white, and the injunction would require the black children to move from the house.

2/6/37

"It is not a case of their moving into a neighborhood containing their superiors. The neighbors are actually their inferiors."

House Alone Cost $20,000

Mrs. Cockburn bought the lot on Forthill Road, three years ago. Last year she built a ten-room English-style house, costing $20,000, and she and her husband moved in on December 31. The deed covenant restraining colored persons from owning land in the development was adopted ten years ago.

Outside the courtroom Mrs. Cockburn told reporters that her mother was Italian and that her father, the inventor of a folding bed, was light skinned, but had part "Negro" blood.

Declaring that he was defending his constitutional rights, Cockburn told newspaper men that he was prepared to carry his fight to the United States Supreme Court.

There are two issues involved in the case; one is the legality of restrictive clauses and the other is whether white neighbors have the right to judge the amount or lack of "Negro" blood in their fellow neighbors.

A man who called himself Capt. Joshua Cockburn was a high official in the Garvey movement in its hey day.

HOUSE OUSTER SEEN AS SPITE

Amsterdam News

2-6-37

Cockburns, Owners of $20,000 Modern Home in Edgemont Hills, Are Victims of Disappointed Contractor

With a Supreme Court judge still racking his brains to decide what and who is a Negro, the fight now going on to oust Mrs. Joshua Cockburn from her home in fashionable Edgemont Hills, Westchester county, on the grounds that she is a Negro, took on aspects of grudge and conspiracy and the desire of someone to get even with the Cockburns.

Claiming that her deed protected her against having Negroes as neighbors—even faraway neighbors—Mrs. Marion A. Ridgway last Monday appealed to Justice Raymond E. Aldrich for an injunction to keep Mrs. Cockburn and her sea captain husband out of Edgemont.

"They are Negroes," the argument ran, "and the deeds protected us from them, just as much as it makes it mandatory that all the people here must have maids, and only Negro maids."

Negro Not Defined in N. Y.

Then it was that the lawyers had to match wits to prove whether Mrs. Cockburn, who is very light, and her much darker husband, Captain Cockburn, are Negro. Since New York state has never officially decided what goes to make a Negro, the court was stumped, and the judge asked for time, until February 20, to make up his mind.

But behind Mrs. Ridgway's legal move there seems to be a white contractor who is peeved because he tried, but did not get, the contract to erect the Cockburn $20,000 modern eight-room home in this landscaped haven of space and flowers. Weeks ago, The Amsterdam News learned that this man had threatened that "You are going to have lots of trouble here if you move into this house," in speaking to both Captain and Mrs. Cockburn of their Greenburgh Township residence.

Repeatedly he had protested as to why he did not get the job, then he brought a supply man, who protested that he should have got the orders for materials, then he wanted to be given the general supervision of the construction over and above the employed contractor.

2-6-37

Failed to Sway Cockburns.

When the Cockburns explained that they were quite satisfied with the arrangements and that they had put all the building details into the hands of their contractor, this disappointed builder repeated his threats: "You are going to find lots of trouble."

Several days after, he appeared on the scene again and offered to sell Captain Cockburn land adjoining the Cockburn property, but Captain Cockburn explained that he was only interested in his own home and was not getting into the real estate business in Edgemont.

Again this peeved white contractor approached the Cockburns to know if they planned selling their house after it was completed and, on learning that they did not intend to sell, he again warned that "If you move in here, there is going to be trouble."

Serves Summons on Ruse.

Then on Friday, January 15, Mr. Zadler of the Edgemont Hills settlement and of Certified Homes, visited the Cockburns and asked to be shown through the dwelling. Courteously, Mrs. Cockburn showed him through, while he commented on it. In one of the bedrooms he drew out and served the summons which took her into court on the complaint of Mrs. Ridgeway.

Somewhere behind the court action is this peeved contractor, it is be-

lieved, and Captain Cockburn agrees.

"The nearest person to us is 900 feet away," Mrs. Cockburn, the person who bought the property, told The Amsterdam News. "None of the people have complained, nor have there been any resort to embarrass us or endanger us. Just this attempt to get an injunction."

Land Bought in 1933.

The Cockburns bought the land in 1933 and numerous times during the next three years they brought friends to see it, they explain. In September of last year they began construction, the building was completed on December 30, and the next day the owners moved in.

Attorney Arthur Garfield Hays and Hutson Lovell represented the Cockburns in court.

Municipal segregation ordinances have been ruled unconstitutional, Attorney Hays told the court, and private agreements must also be unconstitutional, he declared.

"Suppose," he argued, "some children were born to a family such as the defendants in this action and some were white and some were colored. Would we be compelled to segregate them?"

What Makes Negro?

And, then, what makes a Negro, anyway? Attorney Hays queried. To answer this he read the words of the eminent Columbia University anthropologist, Dr. Franz Boas.

"A Negro," said Dr. Boas, "is a person of full West or Central African racial descent, from those regions where no admixture of foreign blood has occurred. No one else can be accurately designated as a Negro."

As Mr. Hays told Justice Aldrich the Cockburns were born in Nassau Bahamas, and educated in England Captain Cockburn, whose title is no "phoney," has served as a shipmaster in the British merchant marine, and during the war was master of the flotilla store ship Trojan and a member of the Nigerian Marines in the British expedition against the Cameroons. His war work brought him commendation from King George.

Mrs. Cockburn, whose mother was Italian, and Captain Cockburn were married in England and have lived in Liverpool and London.

...CIAL PLEA DENIED IN RESIDENTIAL SUIT

Court Refuses to Oust Couple From Westchester Home on Ground They Are Negroes

Special to THE NEW YORK TIMES.

WHITE PLAINS, N. Y., Feb. 9.—Supreme Court Justice Raymond E. Aldrich refused today to grant a temporary injunction to restrain Mr. and Mrs. Joshua Cockburn from occupying the $20,000 English style house which they recently purchased on Fort Hills Road in Greenburgh, Westchester County.

Mrs. Marion A. Ridgeway, a neighbor and widow, a New York physician, brought the suit to enforce a deed covenant which bars "Negroes or any persons of the Negro race or blood" from owning or occupying homes in the section, known as Edgemont Hill.

Mr. Cockburn, formerly master of the Yarmouth, of the Black Star Line, and at present a real estate operator in Harlem, is black of color. His wife, Pauline, is almost white. She is reported to have said that her mother was Italian, and her father of the white race with a slight trace of Negro blood. The Cockburns were born in Nassau, B. W. I., and educated in England.

Justice Aldrich, who took Mrs. Ridgeway's petition under advisement on Feb. 1, when the Cockburns' counsel raised the question of what legally constituted a person of the Negro race, said yesterday that granting an injunction might "very well be a gross injustice."

No date was set for the trial.

HEADLINES

By FRANK MARSHALL DAVIS

(Associated Negro Press Writer)

Here's A Tough Nut To Crack

NEW YORK's supreme court must find a legal definition for a Negro, a question, it has never before had to answer in state history. Arthur Garfield Hays, noted attorney and liberal, has forced the issue in a test suit to bar Mr. and Mrs. Joshua Cockburn from their home near White Plains because of a covenant prohibiting occupation of property in that area by Negroes. Mrs. Marion Ridgway, white, started the trouble.

This may come as a shock to many New Yorkers. Previously individuals decided the question of race for themselves and the general public was prone to let it go at that. What was a Negro to one person was not necessarily a Negro to others. A legal definition obviously allows for no personal leeway.

It is a matter of record that there is no satisfactory explanation anywhere in America of what constitutes a Negro. Some Southern states consider a person a Negro who has any amount of Negro blood, no matter how small. This technically forces many of even the most rabid colorphobists into the race since nobody can trace all of his ancestors back more than a few generations and intermingling has taken place for centuries.

WEBSTER'S DEFINITION

Webster's dictionary says, among other things, that a Negro is "a black man, especially any person having more or less Negro blood." This also is elastic and permits the inclusion of anybody with even a minute amount of Negro blood.

But Dr. Franz Boas, probably the world's foremost anthropologist, says, "A Negro is a person of full western or central African racial descent, from those regions where no admixture of foreign blood has occurred. No one else can be accurately described as a Negro."

To the noted scientist, neither East nor South African people of color are Negroes, which automatically excludes Ethiopians and the tribes in South Africa now falling victim to the vicious color laws of the English rulers. It also excludes all but an estimated 15 or 20 percent of Aframericans, for the practices of Southern "gentlemen" in slavery time and since, plus occasional forays by dark males, has brought about "an admixture of foreign blood" in practically all of our brothers and sisters of color.

CENSUS QUANDARY

Since the definitions of Negro vary, there is no adequate way of telling how many live in America. It may be the U. S. Census estimate of approximately 12 million or it may be 30 million or a mere two million. It depends entirely upon those whose definition is followed.

That should bring home the absurdity of race, for if authorities cannot agree on classification then it is really of little or no importance. As a matter of fact many Nordics may be wasting time hating individuals purely on a racial basis when a classification may be adapted placing those same persons in the Caucasian group.

To consider a light complexioned person with one drop or one per cent of colored blood a Negro is in the same ridiculous category as classing a dark individual with one drop or one per cent of white blood in the Caucasian group. If there is to be any legal distinction between white and Negro in America, commonsense calls for the classification of a person in the race whose blood dominates his veins. Thus a copper colored man with only 40 percent Negro blood and 51 percent white blood should belong with the Caucasians. And those who were half and half could take their choice.

TACIT ADMISSION

It is an admission by whites that Negroes are the stronger people when a small amount of their blood in an otherwise white person dominates the vastly higher percentage of white blood and forces that person into the Negro race.

Speculation becomes more ridiculous the more one thinks upon the subject. The solution and return to sanity would be for citizens of this nation to be treated as Americans instead of Negroes or whites. If the findings of Franz Boas and other unbiased men of science are ever impressed on the egg-headed millions, this might happen.

Hitler, meanwhile, teaches the myth of race purity to his Germans and Mussolini has banned intermarriage in Ethiopia between his Italians and native women. At the same time, Dr. Guido Landra, noted Italian anthropologist, was examining two ancient skulls dug up in Valvisciolo which substantiated claims that Ethiopians once lived in Italy and Germany and obviously predated the present Fascists and Nazis.

The supreme triumph of science would be the discovery that Ethiopians centuries ago enslaved the ancestors of Hitler, Mussolini and their American counterparts and might look upon the present day leaders of racial intolerance as grandchildren.

INJUNCTION DENIED

THE FIRST VICTORY of the famous Captain Cockburn case in the White Plains Court was chalked up for the Harlem real estate broker and his wife when Supreme Court Justice Raymond E. Aldrich refused to grant a temporary injunction restraining them from occupying their $20,000 home in Greenburgh, a fashionable suburb.

Mrs. Marion A. Ridgway, whose property adjoins that of the Cockburns in the Edgemont Hills section, sought to have the Negro occupants of the house forced out of the neighborhood because of a restrictive covenant by which she said all owners of Edgemont Hill home sites are allegedly bound.

Captain Cockburn's lawyers, in their fight against the eviction which Mrs. Ridgway sought, asked the Court to define a Negro; while pending disposition of the case, counsel for the complainant sought a temporary injunction restraining the Cockburns from occupying their home.

The Judge gave the only plausible reason for denying the injunction:

"Without considering the merits of the controversey in detail, it is sufficient upon this motion to point out that the defendant has purchased and improved the property at considerable expense, and to grant a temporary injunction before a trial upon the merits might very well be a gross injustice."

We await with interest the final disposition of the case and Judge Aldrich's answer on "What is a Negro?"

Segregation - 1937

New York

NEGRO OUSTER SUIT ON IN WESTCHESTER

Residents of Greenburgh Fill White Plains Court to Hear Mrs. Ridgeway Testify

COVENANT HELD VIOLATED

Former British Ship Master and Wife, Both Born in the Bahamas, Deny Charges

Special to THE NEW YORK TIMES.

WHITE PLAINS, N. Y., March 22.—Residents of the Fort Hill Road section of Greenburgh crowded into the court room of Supreme Court Justice Lee Parsons Davis today when trial began of a suit instituted by Mrs. Marion A. Ridgway to enjoin "Negroes" from living in the section.

She contends Captain and Mrs. Joshua Cockburn violated covenants in deeds covering the Edgemont Hills development when they built a $20,000 English home last Fall and moved into it. The covenant provides that the property is not to be owned or occupied by "Negroes or any persons of the Negro race or blood, except that colored servants may be maintained on the premises."

Mrs. Ridgway testified she owned an eight-room Colonial home near the Cockburn property and that she built it in 1933 "upon the understanding the property was highly restricted." She admitted not having brought the injunction suit until several months after she learned the Cockburns were building their home.

Arthur Garfield Hays, counsel for the Cockburns, conceded that presence of his clients in the neighborhood would depreciate rental and sale values, but he contended that upholding of the deed covenant would constitute a violation of public policy and would conflict with the Thirteenth and Fourteenth Amendments of the Constitution. He also contended the covenants are vague and do not specify what constitutes a Negro.

Captain Cockburn, a prosperous Harlem realty operator, testified he and his wife were born in the Bahamas. He was educated in England and is a former captain of a British ship. He said he has been called a "man of color," and on occasion a "Negro." His wife, whose skin is light, is daughter of an Italian. As owner of the Greenburgh property, she is sole defendant in the litigation.

Otto Klineberg of the faculty of Columbia University and Sarah Lawrence College testified as an anthropologist for the defense. He said a Negro is a person of unmixed African descent, and he defined mulatto, quadroon and octaroon. Only 30 per cent of the persons generally considered to be Negroes actually are true Negroes, he said. Skin color and other physical features are not conclusive evidence, he added.

Looking at Captain Cockburn, whose skin is dark, the witness said no anthropologist could definitely assign him to the Negro race. Mrs. Cockburn is definitely not a Negro, he said.

The trial will continue tomorrow.

QUERY GOES UNANSWERED

Anthropologist Is Defense Witness In Property Litigation Battle

WHITE PLAINS, N. Y. — Mrs Marion A. Ridgeway doesn't like Negro neighbors. That is why when she purchased an eight-room Colonial home in the Fort Hill Road Section of Greenburgh, she took precaution to see whether or not the neighborhood was restricted. She found that covenants in deeds covering the Edgemont Hills development provide that the property is not to be owned or occupied by "Negroes or any persons of Negro race or blood, except that colored servants may be maintained on the premises." And so, last Fall Mrs. Ridgway moved into her $20,000 English home.

But Mrs. Ridgeway's satisfaction with her new quarters was shortlived. For several months after she learned that the Captain and Mrs. Cockburn, (he is a prosperous Harlem realty operator), were building in the neighborhood. But still Mrs. Ridgeway was satisfied that the "undesirable" residents could be persuaded to move by the law. She thought happily of the deed which said that Negroes couldn't live in the neighborhood. But bringing suit in the Supreme Court to have this deed restriction enforced, Mrs. Ridgeway's lawyers were met with a query which sounds a bit stupid at first, but which is really good enough to win a favorable decision for the Cockburns. And that question was

"What is a Negro?"

Cockburn said that he and his wife were born in the Bahamas. He was educated in England and at one time captained a British ship. His wife, whose skin is light, is the daughter of an Italian. As owner of the Greenburgh property, she is sole defendant in the litigation.

Otto Klineberg of the faculty of Columbia University and Sarah Lawrence College, testified as an anthropologist for the defense. He said a Negro is a person of unmixed African descent, and he defined mulatto, quadroon and octaroon. Only 30 percent of the persons generally considered to be Negroes are really Negroes, he said. Skin, color and other physical features are not conclusive evidence, he added. He said that no anthropologist could definitely assign Cockburn to the Negro race, although he is darkskinned.

The trial began on Monday.

OUST NEGRO FAMILY FROM $20,000 HOME

New York Court Says Residence Restriction Covenants Is Valid

WHITE PLAINS, N. Y.— Mr. and Mrs. Joshua Cockburn were ordered to move from their $20,000 home which they built last fall in the Edgemont Hills section of Greenburgh when Justice Lee Parsons Davis of the state supreme court granted an injunction to a white neighbor.

Justice Davis ruled that deed covenants which prohibited Negroes from living in that section were valid, that they are not in conflict with the U. S. constitution and the fourteenth amendment and are not contrary to public policy.

The injunction was granted to Mrs. Marion A. Ridgway, white, who objected to the Cockburns' residence in the section.

Provision of Deed

Cockburn is a wealthy realty operator of Harlem. Their home was built in Edgemont Hills, developed first in 1928, despite a provision in each deed which says that: "No part of the said parcels shall ever be used or occupied by or sold, conveyed, leased, rented or given to Negroes or any person or persons of the Negro race or blood, except that colored servants may be maintained on the premises."

The Cockburns' lawyer, Arthur Garfield Hays, contended that this restriction was invalid. Justice Davis disagreed, his decision reading:

"It is claimed that the covenant is contrary to the public policy of the state, and is therefore void. The public policy of the state must be found somewhere in the body of its law. The defendant cites no law, either constitutional, statutory or judicial, which lends any effective support to her theory. I know of no public policy which bars any group of individuals from contracting among themselves for the exclusive enjoyment of their own private property.

"The second defense is to the effect that the enforcement of the covenants would deprive the defendant of her property without due process of law, and would deny her the equal protection of the laws, in violation of the federal constitution, and in particular of the fourteenth amendment. It is sufficient to say that the United State supreme court has held that a covenant of this precise character violated no constitutional right.

Rules on "Indefiniteness"

"In the third defense it is claimed that the covenant is void for indefiniteness. This argument is based on the contention that, since the covenant does not define a Negro or specify any particular percentage of Negro blood, the court cannot determine what persons fall within the intended class. In view of the construction placed on the term 'Negro,' the meaning of the covenant and its applicability to defendant and her husband are not at all doubtful.

"The fourth defense alleges that the covenant is unreasonable, oppressive, and lacking in equity. This claim has no substantial foundation. One who voluntarily assumes an obligation, without any pretense or duress, may not reasonably claim oppression and inequity when observance of the duty is demanded. As between these parties, the equities are entirely with the plaintiff, who seeks merely to possess her property on the terms agreed; and not with the defendant, who asks the court to protect her in the open violation of her contract."

Do Not Admit Being Negro

Mr. and Mrs. Cockburn did not admit they are Negroes within the meaning of the law, and anthropologists supported their statement. But Justice Davis wrote:

"There can be no doubt that the defendant is partly 'colored.' She considers herself an octoroon; that is, a person having one-eighth Negro blood. She concedes that she belongs to the 'colored race' and has in the past called herself a 'colored person.'

Her husband, Joshua Cockburn, is concededly a 'colored man.' The proof indicates that he has at least three-quarters Negro blood. In every outward appearance he is what would be called, in common speech, a Negro. There is no reflection whatever on the character of either the defendant or her husband, nothing to indicate that they are anything other than an entirely respectable couple. The plaintiff brings this action simply to enforce a covenant, and asks an injunction restraining the defendant and others assisting her from using or occupying the premises."

NEGRO BAN UPHELD IN EDGEMONT HILLS

Westchester Court Orders the Cockburn Family to Give Up New $20,000 Home There

DEED COVENANT IS VALID

Justice Davis Also Rules That Destrictions Imposed Do Not Violate the Constitution

Special to THE NEW YORK TIMES.

WHITE PLAINS, N. Y., June 7.—Deed covenants prohibiting persons of Negro descent from owning or occupying homes in the Edgemont Hills section of Greenburgh were held valid today by Supreme Court Justice Lee Parsons Davis. In a 1,600-word decision he said the covenants are neither contrary to public policy nor in conflict with the United States Constitution and its Fourteenth Amendment.

Justice Devis granted an injunction to Mrs. Marion A. Ridgway of Edgemont Hills, requiring her neighbor, Mrs. Pauline Teresa

Cockburn, a light-complexioned woman who admitted to some "colored" blood, to move from a $20,000 residence which Mrs. Cockburn and her dark-skinned husband, Joshua a wealthy Harlem realty operator built last Autumn.

Edgemont Hills was developed in 1928 and in each deed there is the proviso: "That no part of the said parcels shall ever be used or occupied by or sold, conveyed, leased, rented or given to Negroes or any person or persons of the Negro race or blood, except that colored servants may be maintained on the premises."

Restrictions Called Invalid

Arthur Garfield Hays, counsel for Mrs. Cockburn, the defendant-owner, was assisted by attorneys for Negro societies in contending the restriction was invalid. In answer to some defense allegations, Justice Davis wrote:

"It is claimed that the covenant is contrary to the public policy of the State, and is therefore void. The public policy of the State must be found somewhere in the body of its law. The defendant cites no law, either constitutional, statutory or judicial, which lends any effective support to her theory. I know of no public policy which bars any group of individuals from contracting among themselves for the exclusive enjoyment of their own private property.

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Denied Being Negroes

Mr. and Mrs. Cockburn did not admit they are Negroes within the meaning of the law, and anthropologists supported their statement. But Justice Davis wrote:

"There can be no doubt that the defendant is partly 'colored.' She considers herself an octoroon; that is, a person having one-eighth Negro blood. She concedes that she belongs to the 'colored race' and has in the past called herself a 'colored person.' Her husband, Joshua Cockburn, is concededly a 'colored man.' The proof indicates that he has at least three-quarters Negro blood. In every outward appearance he is what would be called, in common speech, a Negro. There is no reflection whatever on the character of either the defendant or her husband, nothing to indicate that they are anything other than an entirely respectable couple. The plaintiff brings this action simply to enforce a covenant, and asks an injunction restraining the defendant and others assisting her from using or occupying the premises."

Must Leave Their Home

Court Upholds Color Ban, House Cost Couple $20,000

GREENBURGH, N. Y. – Losers in their court battle to continue occupancy of their $20,000 home in the fashionable Edgemont Hills section, Capt. and Mrs. Joshua Cockburn mapped plans for appeal to a higher tribunal, this week.

The Cockburns were ordered Monday to leave their English mansion, when Justice Lee Parsons Davis of the Supreme Court upheld a pact denying sale, rental, or occupancy by "the Negro race or blood."

Action to oust the Cockburns was instituted by Mrs. Marion A. Ridgway, white, of Edgmont Hills, one of the property holders who received deeds with the exclusion covenant.

Court Balks Defense

Arthur Garfield Hays, white, counsel for the Cockburns, battled to defeat the injunction order as a violation of the Constitution. The court denied that the agreement was contrary to public policy and held that there was no infraction of the Fourteenth Amendment.

Justice Davis pointed out that the U.S. Supreme Court "has held a covenant of this precise character violated no constitutional rights."

Mrs. Cockburn Fair

The action was directed at Mrs. Pauline Theresa Cockburn, who is fair enough to be considered white. She describes herself as a native of Nassau, Bahamas with an Italian mother and a father with some colored blood.

Captain Cockburn, who once commanded a British ship and was a master for Marcus Garvey's Black Star Line, also was born in Nassau. Much darker than his wife, he was educated in England with her.

The captain is a Harlem real estate operator and donor of the Cockburn tennis trophy.

Backed by Savants

Both Cockburns denied that they are subject to application of the racial clause. Dr. Otto Klinberg and Dr Franz Boaz, Columbia University anthropologists, supported them in their contention that a "Negro" is an African of unmixed blood.

The defense was joined by the NAACP and the Civil Liberties Committee.

In answering the query, "Who is a Negro?" Justice Davis said:

"There can be no doubt that the defendant is partly 'colored.' She considers herself an octoroon; that is, a person having one-eighth Negro blood. She concedes that she belongs to the 'colored race' and has in the past called herself a 'colored person.'

"Her husband, Joshua Cockburn, is concededly a 'colored man.' The proof indicates that he has at least three-quarters Negro blood. In every outward appearance he is what would be called, in common speech, a Negro.

"There is no reflection whatever on the character of either the defendant or her husband, nothing to indicate that they are anything other than an entirely respectable couple."

The ten-room mansion was built last fall, although Mrs. Cockburn received her deed to the property three years ago. Action to terminate occupancy began early this year.

Open to Servants

Although the deed covenant bars colored people as owners, tenants or guests, it makes special provisions for servants. Colored domestics are employed widely in Westchester County, and Edgemont is no exception in this respect.

They informed them wherever they went they found that Negroes were not wanted.

Officials of the Housing Authority and the ERB admitted that there were no vacancies available for those families in all Queens borough after several days investigation.

The ERB was able to report only two vacancies in the entire borough.

Oust Queens Negroes for World's Fair

Landlords Organize Move to Evict Negroes, Jack Up Boro Rents

With definite indication that landlords have organized a move to drive Negro and Italian families out of Queens communities, 15 Negro families of four houses, 136-25 to 136-31—38th Ave., Flushing, were served with eviction notices yesterday and are unable to find quarters in all Queens County.

The basis of the move, it was learned, are preparations for the World's Fair by which time landlords want to clear away Negro and Italian districts and replace them with "garden cities" which will rate higher rents.

The Negro families organized themselves as the Flushing Tenants League and have become part of the Citywide Tenants Union. At a meeting Thursday night, they were addressed by Jules Lutz, organizer of the East Side Tenants Union, and indications point to a stiff fight against the eviction.

NEGROES NOT WANTED

When they were served with eviction notices, Oct. 29, effective Dec. 1, a committee of the Negro families visited the vacancy listing division of the New York Housing Authority and explained to them that they were unable to find homes if evicted. They also visited the Emergency Relief Bureau in quest of vacancies.

Segregation - 1937

New York

THE COCKBURN DECISION

IT WAS IRONIC that Supreme Court Justice Lee Parson Davis should hand down a decision in New York State which says in effect that white property-owners may agree among themselves never to sell their land to Negroes and thus definitely segregate them in sections in which they now live. It was ironic because it was this same Lee Parson Davis, then a struggling young lawyer, who ten years before successfully defended the right of a person of Negro blood to marry into another race. He was the defense attorney in the celebrated Kip Rhinelander case wherein the family of the young aristocrat sought to have his marriage to Alice Jones annulled on the grounds that she was partly of Negro blood. On that occasion Judge Davis successfully contended that there had been no deception and that a Negro had just as much right to marry into another race as any one else.

Evidently, however, his ideas have changed for now he maintains the following proviso in the deeds of the residents of Edgemont Hills is not against public policy:

"That no part of the said parcels shall ever be used or occupied by or sold, conveyed, leased, rented or given to Negroes or any persons of the Negro race or blood, except that colored servants may be maintained on the same premises."

No segregation law in the South was more definite than this, and not only does it bar Captain and Mrs. Joshua Cockburn from occupying their own home but it also, if upheld, would bar Negroes from ever in the future occupying this land.

In handing down his decision, Justice Davis said on this point:

"It is claimed that the covenant is contrary to public policy, and is therefore void. The public policy of the state must be found somewhere in the body of the law. The defendant cites no law, either constitutional, statutory or judicial, which lends any effective support to her theory. I know of no public policy which bars any group of individuals from contracting among themselves for the exclusive enjoyment of their own private property."

It seems to us that Arthur Garfield Hays, counsel for Mrs. Cockburn, could have cited several decisions of the United States Supreme Court invalidating residential segregation laws passed by cities in various parts of the country to substantiate this point. He might also have pointed out that New York State has a Civil Rights law which forbids discrimination against individuals because of race or color. To follow the Justice's argument to its logical conclusion, if the residents of Edgemont Hills can contract among themselves to prevent Negroes from owning land or living there, why can't a larger village or even the town of White Plains do the same?

Westchester County boasts of being the wealthiest suburban county in the United States and one of the most exclusive. But this county also has several cities, including Yonkers, New Rochelle, Mt. Vernon, Tarrytown and White Plains, in which large groups of Negroes reside. These Negroes should organize and fight any candidate for public office who upholds the undemocratic contentions of Justice Davis, as handed down in this decision.

Negro citizens throughout the Empire State should rally to the support of Captain and Mrs. Cockburn and carry the case to the United States Supreme Court, if necessary to secure a reversal of this decision.

Judge Davis' Turn

The strange turn of Judge Lee Parsons Davis in White Plains, N. Y., Supreme Court, by which he would force Mr. and Mrs. Joshua Cockburn to give up their $20,000 English Manor House which was built in what is supposed to be an "exclusive" section of the city, should be thoroughly considered. This judge says in effect that the acquirement of money, and of social position as a resutl of money and right living, makes no difference when one is colored—that nothing short of turning white will make it possible for one to live in certain sections of the state of New York.

Floyd J. Calvin

If Judge Davis has the law on his side, it is certainly an amazing situation. Negroes of New York State, where there are no laws against inter-marriage, have rested in the false security that only he lack of money could keep them out of certain privileged places. They ca even live at the Hotel Pennsylvania, the Hotel Commodore, and other swank hotels in mid-town Manhattan, but they cannot buy land and erect a beautiful home if a group of snobbish whites get together and agree to keep out all colored persons (except servants."

Judge Davis, who was Alice Rhinelander's lawyer, knows a lot about the colord question. Perhaps it dwas because he knows so much about the color question—about the intimate details, since he had Alice strip before a jury to show that her body was dusky and that she did not deceive Kip—that he felt obliged to discuss the color question in such detail and to be so dogmatic in his decision. The judge averred: "There can be no doubt that the defendant is partly 'colored.' She considers herself an octoroon; that is, a person having one-eighth Negro blood."

Judge Davis little suspects how many "Negroes" he is driving into his own "exclusive" group by this declaration, who have more than one-eighth of Negro blood, but who, to all appearances, have less. Nor can any one blame them. If Judge Davis wants to take the responsibility of drawing the line of demarcation on octoroons and whites, he is welcome; but our view is that he is taking on more than he can manage, and that "Public Policy," which he claims he is upholding, will suffer more from his construction of its meaning, than he wants that policy to suffer. For those Negroes who look white, it is simply a matter of hiding their racial identity, and they can pass Judge Davis.

Northern Jim Crowism

Real estate restrictions excluding negroes from a residential section have been upheld by a New York court, the case having come up the other day in White Plains, which is a long way north of the Mason and Dixon line.

Joshua Cockburn, Harlem realty operator, and his wife bought a $20,000 home in the Greenburgh area near White Plains and moved in, whereupon a white neighbor took the matter to court.

Negro societies supplied celebrated attorneys to defend the case.

The residential section was incorporated nine years ago with a prohibition against colored residents and the court ruled that—

(1) There is "no public policy which bars any group of individuals from contracting among themselves for the exclusive enjoyment of their own private property;"

(2) That the covenant was of a precise character which violated no constitutional right such as was embodied in the Fourteenth amendment and

Edgefield, S. C. Advertiser
Jun 16, 1937

(3) That, since the covenant did not define a negro or specify any particular percentage of negro blood (the Cockburns had denied that they were negroes), the applicability in the case was "not at all doubtful."

Congressman Arthur Mitchell, negro Democrat of Chicago, and others who are attempting to fight so-called Jim Crowism in the South will find in this decision, which is destined to become celebrated, a severe handicap.

For the truth is that certain racial separation requirements are wholesome and sensible, serving the best interests of both races and tending to preserve and to promote interracial peace and harmony.

Leaders of both races in the South long since have recognized this fact.
—Greenville Piedmont.

DOCTOR, FOUGHT BY WHITES IN HOUSING ROW, WINS GARDEN PRIZE

Press Service The N.A.A.C.P.
4-29-37
New York, N.Y.

White Plains, N.Y. Sept. 24.- Dr. Errold D. Collymore, of this city, who a few years ago had a bitter fight when he bought a home in a white neighborhood, this week was announced as the winner of the second prize in the Herald Tribune garden contest.

At the time that Dr. Collymore was having his housing troubles, the argument was made that a Negro family in the neighborhood would depreciate property and eventually provide an eyesore in the community. Instead, Dr. Collymore has become one of the most respected citizens of White Plains and his home a beauty spot in the neighborhood. At the time of the housing dispute, the N.A.A.C.P came to the rescue of Dr. Collymore. At the present time, he is the president of the White Plains branch of the N.A.A.C.P.

Seek To Run Negroes From Midtown Area

Civic Leaders Plan To Take Action On Vigilante Move

12-11-37

NEW YORK—A move by more than 200 white Brooklyn business men to form a "Home Defense League" was denounced this week by prominent civic leaders of both races as a "vigilante form of terrorism" to drive Negro residents from the deeply-populated Stuyvessant-Bedford section in Brooklyn, this city.

Benjamin A. Butler, Brooklyn Fusion Party leader, Mrs. Eugenia Wright, secretary of the Citizens Civic Affairs Committee and other prominent figures in the community ridiculed the statement made by Samuel A. Sirtl, head of the Midtown Civic League which is organizing the uniformed "defense group", that the sole purpose was to "combat the wholesale lawlessness and epidemic of crimes in this district".

The Midtown Civic League, composed exclusively of business men with a reputed membership of 900, has been campaigning for a long time against the presence of Negroes in the district. Two years ago it printed and distributed thousands of leaflets calling upon the white residents to "fight the influx of Negroes and drive them out."

"This is a vicious scheme on the part of the League, made up mostly of real estate men to set the whites against the Negroes and to drive us out of the section. As a matter of fact, far from real estate values decreasing, rents and the price of homes in this area have risen sharply," Mrs. Wright declared.

Segregation-1937

North Carolina.

Chapel Hill, N. C., Weekly
October 29, 1937

Was There a Plan to Oust the Negroes from Franklin St.?

Mrs. J. P. Nesbitt, wife of the man who was for many years engineer on the Carrboro-to-University Station line, was one of the witnesses at last week's hearing on the West Franklin street assessment tangle. Questioned by John Manning she told of her husband's being asked, ten years ago, to sign a petition for the laying of curb-and-gutter and pavement.

"He was not the owner of our home," she said. "I was. But they asked him to sign, and he thought he could sign for me, and he did. When he told me about it I said I didn't think he should have signed until we had discussed the matter together. He said:

" 'They're trying to get the colored people off West Franklin street. They say the colored people will never be able to pay the assessments and will have to leave.' "

This statement of Mr. Nesbitt's, as quoted by his wife, tends to confirm rumors, that have been going about for some time, to the effect that when owners were asked to petition for the improvement it was expected in some quarters that the assessments would be too heavy for the poorer owners (mostly negroes) to bear.

Segregation–1937

Ohio

RESIDENTIAL SEGREGATION?

AS if in answer to the question asked of Uncle Sam in last week's issue of THE EAGLE about the reason for the all-white personnel at the Cedar-Central Apartments and the all-Negro personnel at Outhwaite Homes, comes news of the planned dedication of Outhwaite Homes with a parade of Negro military and lodge units — set for Sunday, July 18.

This news added to the staff setup significantly serves to lend fresh color to the oft-heard report that it is planned to reserve Cedar-Central for white tenants and Outhwaite Homes for Negroes! In addition, there has reached us information that white interviewers, in government employ, have called on some Negro applicants for Cedar-Central apartments and tried to persuade them to transfer their application to the Outhwaite Homes, "because they are so much nicer than Cedar-Central".

Our memory is fresh as to the many incidents that have accumulated in the past to strongly indicate that it is the definite intention of somebody, somewhere, in the U. S. Housing setup, to foster residential segregation in Cleveland—despite the assurance from Colonel Horatio Hackett at Washington, then in charge of the Housing projects, that "the government would not and could not countenance residential segregation under the law." And Councilman Ernest J. Bohn, whose activity was a large factor in the Housing plans, repeatedly assured us, that no residential segregation was intended—the astute Councilman even appearing to be sharply distressed that the question should even be raised!

And yet — all the straws in the wind indicate that, even if Uncle Sam did not so intend, somebody, somewhere, has passed the word along that racial segregation **is to be** the policy in the renting of the two housing projects.

So, THE EAGLE intends to go to the bottom of the situation. We want no official residential segregation adopted as a policy in Cleveland by the United States Government Housing projects.

...ns Aroused Over Jim-Crow Housing Project

$3,300,000 Unit For Negroes Being Planned North of Lockland, Ohio.

CINCINNATI, Oct. 14—(By James T. Whitney for ANP)—A third housing project, estimated to cost $3,300,000 and designed for a tract of vacant land outside the basin of the city, is being pushed at Washington. The second project, planned for the West End at a cost of $4,000,000, has been talked of intermittently during the last year. Until Congress recently passed the Wagner-Steagall housing bill, providing $526,000,000 for low-cost housing in the United States, little hope had been held for the third project.

The local authority has notified H. A. Gray, director of the Public Works Administration Housing Division, that applications for both new projects will be pushed. The new West End project would be in the same general locality as Laurel Homes, the first housing project, now being rushed toward completion.

Locations of sites under consideration for the suburban project are being kept secret until the authority is assured funds will be available.

The Metropolitan Housing Authority of this city does not intend for Negroes to live in the first and second housing projects, so many civic organization and the local N. A. A. C. P. believe. Councilman R. P. McClain has made a secret investigation, but could not find out anything definite. In an address last Sunday at the Y. M. C. A. Forum, Charles P. Taft stated that the third housing project for Negroes would be located near Lockland.

Many race residents of the West End feel that if the Charterites win the fall election and their plans are perfected, they will be driven from that section of the city.

GRILL CHIEF OF PROJECTS ON JIM-CROW PLAN

Finkle Threatens To Head Protest Trip To Washington Unless Negroes Are Given Squre Deal.

Councilman Lawrence O. Payne, Herman H. Finkle, and Septimus E. Craig, ably assisted by Councilmen Hudec, and Young, white, and William R. Conners of the Negro Welfare Association, led a terrific onslaught Monday afternoon, during a special meeting of the Council's Housing Committee, on the policy of the Federal Housing projects which it is alleged is leading to actual race segregation in the tenancy of Cedar-Central and Outhwaite projects.

Threatening to lead a delegation to Washington to protest the rental policy which has largely excluded Negroes from Cedar-Central and limited whites in the Outhwaite project, Councilman Finkle demanded a new deal on rental policies from Warren C. Campbell, regional housing manager, who denied that racial segregation is the policy in force.

The first official recognition of charges that have been flying through the city, intimating that a studied effort was being made to segregate white and Negro tenants in the Cedar, Central and Portland-Outhwaite projects, was given at the meeting of a special housing committee of the City Council this week, when the Council committee called on federal housing officials to produce their records to show whether such discrimination existed.

The situation was brought to the attention of the Council Committee, of which Councilman Ernest J. Bohn is chairman, by the joint

Segregation - 1937

Oklahoma.

Don't Pray on Ninth Street

Developments this week, in connection with the sale o the Maywood Christian church, 800 Northeast Ninth street to a Negro congregation, prove conclusively that all of th difficulty in Oklahoma City regarding residential areas and who shall live in them start among white folk themselves.

Here is a white church owned outright by a white con gregation, which can never become the property of Negroes unless the whites who own it sell it to members o the black race. Who then should become angry with Negroes? If this property is actually sold to Negroes th white congregation will be selling it to the purchaser because they feel that said purchaser is paying more for th property than any other buyer.

So after all, the whole problem settles down to an economic issue. We do not have in mind that the Rev. McKin has any more altruism in his system than members of th East Side Civic Club. It is simply a question with him an his congregation of selling the property to the highest bidder.

Of course it is interesting to listen to what Rev. McKin has to say in support of his contemplated sale. He call attention to the fact that if the Negroes in Oklahoma were "bogged down in Africa" they would receive a lot of help but when they try to worship God on Ninth street in Oklahoma City, white Christians talk about race riots and such like. It is amusing, to say the least.

In the midst of the controversy our own Councilman Jack Moore rushes with the suggestion that the city purchase the church property for a community center and thus avert the calamity of having Negroes bogged down in prayer on Ninth street. We do not believe that this valuable contribution to the discussion, made by our good second ward councilman will get to first base when it reaches the city hall.

In connection with this proposed purchase of a church on Ninth street we feel that it should be pointed out that the property is on the edge of the area already penetrated by Negroes. We say this because in the published articles regarding the affair, the idea is loaned that a radical puncture is being made by Negroes into a white area. Every well balanced person who believes in natural expansion will agree that when Negroes fill one block they have a right to overflow into the next block. They, in fact, have a right to live anywhere in the city; but even so, it has been our conservative view that Negroes who seek residences, assume them to be more desirable in those sections where members of their own race reside.

In the present instance Negroes live on Eighth street immediately behind the Maywood Christian church. They have for twenty years lived in the block immediately east of the 800 block on Ninth street. Would it be anything other than natural for Negroes to want a church somewhere in the neighborhood where they live?

Race prejudice is an ugly thing. Christ was a Jew and we assume if He were here today in Oklahoma City the Ku Klux Klan and other un-American organiations would try to prevent the Lowly Naarene from preaching on Ninth street in Oklahoma City, based on the theory that "I am holier than thou" and the notion that one human being is superior to another.

But getting back to the theory of economics in segregation. Do not get it in your head that Negroes are segregated because they are black. The English forced the Irish to live for years within the pale, and Constantine forced the Jews to live in the Ghetto. Those were the days when white folk enslaved white folk, and they practiced segregation while they were doing it.

In India, within a race, one finds the untouchables—men and women born of the same blood fix metes and bounds beyond which untouchables cannot pass. Our white folk in Oklahoma City are no dumber than the rest of the world when it comes to branding the individuals who in their day are forced to hew the wood and draw the water. Dominant groups are usually blind to the wisdom of an old aged white man who visited the Black Dispatch office this week. That old gentleman snorted and said, "There's plenty of colored folk in my neighborhood who can show white people how to live."

Segregation – 1937

Pennsylvania

Bricks Hurled Again in Same Neighborhood

Afro American

3 Families Aroused by Shattering of Window Panes.

5-1-37

Baltimore Md.

CULPRIT ELUDES PURSUING COPS

Compensation Offer Is Reported.

PHILADELPHIA — For the second time within a week, colored residents in the formerly exclusive white neighborhood of Twenty-sixth and Christian Streets have had their windows shattered with bricks and milk bottles.

The rampage this time, conducted by a drunk with the simple intent of destroying property, was on the home of Mr. and Mrs. Roland N. Elcy of 2526 Christian Street; Mr. and Mrs. M. Hall of 2520 Christian Street; and Mr. and Mrs. M. Williams, of 2512 Christian Street, who were awakened from sleep early Monday morning by the crashing of window panes.

Man Disappears

By the time a policeman was called to apprehend the man, who is well known in the vicinity as a trouble maker, had disappeared, but immediately after the officer's departure the bombardment was resumed. A police car scouted the neighborhood, but all efforts to find the offender proved futile.

The mother of the young lawbreaker, whose exact identity could not be learned but whose address is believed to be in the 2500 block of Grays Ferry Avenue, is alleged to have called upon the neighbors who had been molested and offered to compensate them for the damages.

Segregation-1937

Pennsylvania.

Window Panes Shattered by Flying Bricks

Afro-American

Bombardment Continues Saturday and Sunday.

4-24-37

HOUSEWIFE IS HIT BY MISSLE

Baltimore, Md.

Couple Take Refuge with Kin.

PHILADELPHIA — Mr. and Mrs. Arnold Moore, who moved into the house at 2625 Christian Street, Saturday, were forced out by irate white neighbors, who bombarded the place Saturday and Sunday, by throwing bricks through the windows as an expression of their resentment at having a colored family move into a formerly exclusive white neighborhood.

Mrs. Moore was bruised by a missile which struck her on the wrist, after which a group of white people entered her home and allegedly threatened her life if she remained in the house.

Officer Visits Scene

The incident was reported to the Twentieth and Fitzwater Streets police station, but Mrs. Moore received no consideration as she could not give the names of the offenders. A policeman came to her home on Sunday morning, but offered no protection, it is reported.

Mrs. Moore reporter the occurrence to Mrs. M. Mallory, the committeewoman of the Thirtieth Ward, who acting upon the advice of Austin Norris, attorney, contacted Magistrate Edward Henry for an appointment. The engagement was made for Monday afternoon, but the magistrate failed to appear.

Asks Return of Rents

The house is owned by a trust company, but all negotiations were carried out by the Nathan Niskoff Real Estate office at 2049 South Street. M. Clayton, white, who rented the house to the Moores, denied that he told Mrs. Moore that she would have to move.

He said that Mrs. Moore came to the office on Monday and demanded her money back, saying that she found it impossible to stay in the neighborhood, and that the full month's rent, $20, was returned to her on Tuesday morning. The Moores are at present staying with relatives at 2239 Pemberton Street.